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10 Network L.L.C.; ABC, Inc.; Cable News
11 Network LP, LLLP; Courtroom Television
12 Network LLC; The Associated Press, Los
13 Angeles Times; and The New York Times
14 Company

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

FEB 06 2004

GARY M. BLAIR, EXEC. OFFICER

By JO ANN ERICKSON
JO ANN ERICKSON, Deputy Clerk

15 SUPERIOR COURT, STATE OF CALIFORNIA
16 FOR THE COUNTY OF SANTA BARBARA

17 THE PEOPLE OF THE STATE OF
18 CALIFORNIA,

19 Plaintiff,

20 vs.

21 MICHAEL JOE JACKSON,

22 Defendant.

Case No.: 1133603

23 **OPPOSITION OF THE ACCESS**
24 **PROONENTS TO (1) PLAINTIFF'S**
25 **MOTION FOR ORDER DIRECTING THAT**
26 **CERTAIN SEARCH WARRANTS,**
27 **SUPPORTING AFFIDAVITS AND**
28 **RETURNS BE FILED AND MAINTAINED**
UNDER CONDITIONAL SEAL UNTIL
FURTHER ORDER OF COURT, AND (2)
PLAINTIFF'S REQUEST THAT REQUEST
FOR ORDER DIRECTING THE SHERIFF
TO LODGE CERTAIN ITEMS OF
PROPERTY WITH THE COURT BE FILED
UNDER SEAL [sic]; DECLARATION OF
JULIAN W. POON IN SUPPORT THEREOF

Date: Friday, February 13, 2004

Time: 8:30 a.m.

Place: Department SM9,
Judge Rodney S. Melville

[VIA FACSIMILE]

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OPPOSITION OF THE ACCESS PROONENTS TO (1) PLAINTIFF'S MOTION FOR ORDER DIRECTING THAT CERTAIN SEARCH WARRANTS, SUPPORTING AFFIDAVITS AND RETURNS BE FILED AND MAINTAINED UNDER CONDITIONAL SEAL UNTIL FURTHER ORDER OF COURT, AND (2) PLAINTIFF'S REQUEST THAT REQUEST FOR ORDER DIRECTING THE SHERIFF TO LODGE CERTAIN ITEMS OF PROPERTY WITH THE COURT BE FILED UNDER SEAL; DECLARATION OF JULIAN W. POON IN SUPPORT THEREOF

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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

National Broadcasting Company, Inc.; CBS Broadcasting Inc.; Fox News Network L.L.C.; ABC, Inc.; Cable News Network LP, LLLP; Courtroom Television Network LLC; The Associated Press; *Los Angeles Times*; and The New York Times Company (collectively, the "Access Proponents") oppose: (1) the District Attorney's Motion for Order Directing That Certain Search Warrants, Supporting Affidavits and Returns Be Filed and Maintained Under Conditional Seal Until Further Order of Court, filed Jan. 28, 2004 ("the Motion to Seal the Telephone Warrant Records"); and (2) the District Attorney's Request That Request for Order Directing the Sheriff to Lodge Certain Items of Property With the Court Be Filed Under Seal [sic], filed Jan. 20, 2004 ("the Request to File Under Seal the Bradley Miller Warrant Records"). For the reasons stated below, this Court should release these documents in their entirety; these documents should be released with narrowly tailored, selective redactions if and only if a compelling interest justifies such redactions.

II. THIS COURT SHOULD REJECT THE DISTRICT ATTORNEY'S REQUEST FOR A BLANKET SEALING ORDER WITH RESPECT TO THE WARRANTS, AFFIDAVITS, RETURNS AND RECORDS CONNECTED WITH SW 4896, SW 4897, SW 4898, SW 4899, SW 4900, SW 4901, AND SW 4902

Penal Code § 1534(a) requires that documents and records relating to executed search warrants "shall be open to the public as a judicial record." The District Attorney nonetheless seeks to file under seal

seven warrants for the search of the toll and billing records of certain telephone service providers, which warrants (nos. SW 4896, SW 4897, SW 4898, SW 4899, SW 4900, SW 4901 and SW 4902) were issued on January 22, 2004, together with the supporting affidavit for each warrant, and the return to each warrant to be filed when the warrants have been executed and the records sought by them have been obtained in obedience thereto.

This Court should reject the District Attorney's request to seal the telephone warrant records because the District Attorney has failed to overcome the strong presumption of openness and public access to judicial records established by the First Amendment to the United States Constitution,

Article I, Section 2 of the California Constitution, Penal Code § 1534(a), the common law, and California Rule of Court 243.1. *NBC Subsidiary (KNBC-TV), Inc. v. Superior Court*, 20 Cal. 4th 1178, 1217-18 (1999). This presumption “may be overcome only by an overriding interest based on findings that closure is essential to preserve higher values and is narrowly tailored to serve that interest.” *NBC Subsidiary*, 20 Cal. 4th at 1204 (quoting *Press-Enterprise Co. v. Superior Court*, 464 U.S. 501, 510 (1984)); see also Cal. R. Ct. 243.1(d) (specifying that records may be filed under seal “only if [the court] expressly finds that” several conditions—including the “existence of” an overriding interest that overcomes the right of public access to the record—have been satisfied) (emphases added). See also *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 597 (1978) (“It is clear that the courts of this country recognize a general right to inspect and copy public records and documents, including judicial records and documents.”) (footnote omitted); *Globe Newspaper Co. v. Superior Court*, 457 U.S. 596, 606-07 (“Where . . . the state attempts to deny the right of access in order to inhibit the disclosure of sensitive information, it must be shown that the denial is necessitated by a compelling governmental interest, and is narrowly tailored to serve that interest.”) (emphases added).

In support of his blanket sealing request, the District Attorney simply asserts that his investigators’ “prior experience . . . in this matter has shown that potential witnesses whose identities are made public before they are contacted and interviewed have sometimes been subjected to intimidation and have become reluctant to be forthcoming and candid with investigators who seek to interview them.” Declaration of Gerald McC. Franklin at ¶ 3. But the District Attorney offers no factual support for this bald assertion. Such vague and generalized claims are insufficient to justify the blanket sealing order. See *NBC Subsidiary*, 20 Cal. 4th at 1203 (discussing *Globe Newspaper Co. v. Superior Court*, 457 U.S. 596 (1982), and explaining how in that case the high court “addressed the other asserted state interest—the encouragement of minor victims of sex crimes to come forward and provide accurate testimony—and found ‘speculative’ and ‘open to serious question as a matter of logic and common sense’ the state’s claim that its mandatory closure rule advanced that interest”) (citation and footnote omitted); see also *Press-Enterprise Co. v. Superior Court*, 478 U.S. 1, 15

1 (1986) ("The First Amendment right of access cannot be overcome by the conclusory assertion that
2 publicity might deprive the defendant of th[e] right [to a fair trial]. And any limitation must be
3 'narrowly tailored to serve that interest.'") (citation omitted).

4 This unsupported assertion also fails to provide this Court with a basis for making findings
5 "specific enough that a reviewing court can determine whether the [sealing] order was properly
6 entered." *NBC Subsidiary (KNBC-TV)*, 20 Cal. 4th at 1217-18.¹ There is no description given, for
7 example, of these prior alleged instances of "intimidation," of who was allegedly responsible for such
8 intimidation, and why it is reasonable to assume that such alleged intimidation may recur in the future
9 and why existing laws against tampering with, or intimidating, witnesses would not be sufficient to
10 deal with any such problem. Without more, there simply is not sufficient factual detail to enable this
11 Court to make the "[e]xpress factual findings required to seal" these judicial records. Cal. R. Ct.
12 243.1(d).

13 The District Attorney also relies on the "confidential information" evidentiary privilege, see
14 Evidence Code §§ 1040(a), 1041, and 1042(b), and the Court of Appeal's decision in *PSC*
15 *Geothermal Servs. Co. v. Superior Court*, 25 Cal. App. 4th 1697 (1994), but that evidentiary privilege
16 (which covers only "information acquired *in confidence* by a public employee in the course of his or
17 her duty," Ev. Code § 1040(a)), even if it were applicable – something that the District Attorney has
18 not demonstrated – does not purport to cloak in secrecy everything that the government uses in

19
20 ¹ Indeed, our Supreme Court in *NBC Subsidiary* explained how in *Waller v. Georgia*, 467 U.S. 39
21 (1984), a unanimous United States Supreme Court rejected a similarly vague and generalized
22 claim asserted to justify overriding the public's right of access to a criminal trial:

23 In that case the trial court, at the state's request and over the defendant's objection,
24 closed a seven-day suppression hearing involving the admissibility of the state's
25 wiretap evidence. . . . The high court held that the blanket closure order was
26 *overbroad* . . . [and] observed that although "[u]nder certain circumstances"
27 privacy interests 'may well justify closing portions of a suppression hearing to the
28 public,' the state's "proffer was *not specific* as to whose privacy interests might be
infringed, *how* they would be infringed, *what portions* of the tapes might infringe
them, and *what portion* of the evidence consisted of the tapes. As a result, the trial
court's findings were broad and general, and did not purport to justify closure of
the entire hearing. . . .

27 *NBC Subsidiary*, 20 Cal. 4th at 1205 and n.21 (emphases added).

1 obtaining a search warrant or obtains as a result of executing a search warrant. See *id.* at 1715
2 (noting courts must engage in two-step analysis to determine if privilege applies, and if it does,
3 consider the possibility of redacting purported official information and releasing the rest of search
4 warrant affidavit); *People v. Hobbs*, 7 Cal. 4th 948, 957-962, 964 (1994) (rejecting blanket sealing of
5 warrant affidavit and related materials where prosecutors invoked the privilege protecting the identity
6 of confidential informants, and observing: "Heightened concerns arise . . . when the prosecution
7 seeks to invoke the corollary rule extending the privilege to most or all of the factual showing of
8 probable cause in a search warrant affidavit on the ground that disclosure of the substance of the
9 informant's statement will itself reveal or tend to reveal his or her identity"). To read these
10 provisions in the sweeping manner suggested by the District Attorney would impermissibly nullify
11 Penal Code § 1534(a)'s requirement that warrant records "shall be open to the public as a judicial
12 record" once the warrant has been executed.

13 The District Attorney's interpretation of Evidence Code §§ 1040-1042 is not only incorrect,
14 but also would violate the First Amendment to the United States Constitution and its California
15 counterpart, as well as California Rule of Court 243.1. See *NBC Subsidiary*, 20 Cal. 4th at 1202
16 (describing how the United States Supreme Court in *Globe Newspaper* found "unconstitutional a
17 state statute that mandated closure of courtrooms during the testimony of minor victims in criminal
18 trials"); *Copley Press, Inc. v. Superior Court*, 63 Cal. App. 4th 367, 376-77 (1998) (issuing a writ of
19 mandate directing the superior court to vacate its order sealing, even temporarily, court records
20 containing information about, *inter alia*, the confidential settlement amount paid by a public school's
21 insurer in a case involving the horrific sexual assault with a broomstick of a 15-year-old minor).
22 Penal Code § 1534(a) confirms that documents and records relating to executed search warrants are
23 public "judicial record[s]," and thus whatever purported protections are afforded by these Evidence
24 Code provisions, they cannot justify the sealing of all or part of any warrant records filed in court
25 unless the District Attorney satisfies these strict First Amendment standards. The District Attorney
26 has not met those standards here.

1 In short, the District Attorney has not met his heavy burden of justifying the sealing of the
2 warrants, affidavits, returns, and other documents and records associated with SW 4896, SW 4897,
3 SW 4898, SW 4899, SW 4900, SW 4901 and SW 4902.² The governing Rule of Court mandates, in
4 no uncertain terms, that:

5 An order sealing the record must (i) specifically set forth the facts that support the
6 findings and (ii) direct the sealing of only those documents and pages, or, if
7 reasonably practicable, portions of those documents and pages, that contain the
material that needs to be placed under seal. All other portions of each document or
page must be included in the public file.

8 Cal. R. Ct. 243.1(e)(1). Accordingly, the District Attorney's motion to file under seal should be
9 denied.

10 III.

11 THE DISTRICT ATTORNEY'S REQUEST FOR A BLANKET SEALING 12 ORDER COVERING THE INVENTORY OF ITEMS SEIZED FROM BRADLEY MILLER'S OFFICE IS WHOLLY WITHOUT BASIS AND FACIALLY DEFICIENT UNDER THE APPLICABLE RULE OF COURT

13 The District Attorney's Request to File Under Seal the Bradley Miller Warrant Records is
14 wholly without basis and facially deficient under the applicable Rule of Court. California Rule of
15 Court 243.2(a) specifically requires that:

16 A party requesting that a record be filed under seal must file a motion or an
17 application for an order sealing the record. The motion or application must be
18 accompanied by a memorandum of points and authorities and a declaration containing
19 facts sufficient to justify the sealing.

20
21
22 ² The District Attorney also makes a blanket assertion of privilege pursuant to the entire Child
23 Abuse and Neglect Reporting Act, Penal Code §§ 11164-11175, without specifying what particular
24 provisions he is relying on or how any particular provision might be implicated by either his Motion
25 to Seal the Telephone Warrant Records or his Request to File Under Seal the Bradley Miller Warrant
26 Records. There has, to date, been no indication that anything contained in either set of search warrant
27 records implicates the limited confidentiality afforded by the Act to the *identity* of "mandated
28 reporters" under the Act, *see* Pen. Code § 11167, or, indeed, that anything in either set of search
warrant records derives from a report of suspected child abuse from anyone who is a "mandated
reporter" under the Act. *See* Pen. Code § 11165.7.

1 *Id.* (emphasis added). Yet none of the papers that the District Attorney has filed to date in support of
2 his Request to File Under Seal the Bradley Miller Warrant Records³ contains the required
3 "memorandum of points and authorities" or the "declaration containing facts sufficient to justify the
4 sealing." For this reason alone, the District Attorney's request should be denied. This Court
5 permitted the District Attorney to file "Exhibit A" conditionally under seal, notwithstanding the fact
6 that his request did not comport with this Rule of Court, but these defects in the District Attorney's
7 request to seal preclude any continued sealing of these or other judicial records relating to the
8 execution of the warrant as to Bradley Miller.

9 This Court should also reject on the merits the District Attorney's request for a blanket sealing
10 order covering the search-warrant inventory of items seized from Bradley Miller's office (along with
11 any other documents related thereto), for many of the same reasons already articulated above.
12 Indeed, the District Attorney has offered no factual basis to support sealing these records other than a
13 vague and generalized assertion that the attorney-client and attorney-work-product privileges might
14 apply to some of the items seized from Bradley Miller's office.

15 The mere invocation of these privileges cannot overcome the public's presumptive right of
16 access to these search-warrant records under the First Amendment to the United States Constitution,
17 its California counterpart, Penal Code § 1534(a), the common law, and California Rule of Court
18 243.1. Even if the showing were enough to justify sealing, which it is not, "there is nothing to
19 suggest that" a selective redaction of those portions of the records relating to the execution of Search
20 Warrant #884686 at Bradley Miller's office that actually are privileged under the attorney-client and
21 attorney-work-product privileges would not be sufficient to vindicate whatever legitimate and
22 overriding interests in confidentiality that might exist. *PSC Geothermal Services*, 25 Cal. App. 4th at

23
24 ³ Exhibit A to this request, which has been removed from the publicly filed version of this Request
25 and conditionally filed under seal pending a hearing by this Court, reportedly consists of the
26 "relevant pages . . . list[ing] Items 811 through 820 on the Sheriff's 'Property Form' in Sheriff's
27 Case No. 03-5670, dated November 18, 2003." Plaintiff's Request for Order Directing the
28 Sheriff to Lodge Certain Items of Property Seized in Obedience to Warrant for Search of Bradley
Miller's Office at 2 (emphasis added). While one of the pages that was released by this Court on
Feb. 2, 2004 appears to contain a heavily redacted listing of Items 811 through 820, the Access
Proponents also seek the release of the other pages referred to by the District Attorney.

1714-15. It is highly unlikely that every word and line of these documents is cloaked with these privileges, and it is noteworthy that none of the attorneys for the presumptive holders of these privileges (either Mr. Miller or Defendant Jackson) have submitted anything to this Court that would suggest that they specifically object to the disclosure of documents and records related to the search of Bradley Miller's office on grounds of attorney-client or attorney-work-product privilege.⁴

IV.
CONCLUSION

The District Attorney's Motion to Seal the Telephone Warrant Records and his Request to File Under Seal the Bradley Miller Warrant Records are facially deficient and insufficient under the First Amendment to the United States Constitution, Article I, Section 2 of the California Constitution, Penal Code § 1534(a), the common law, and California Rules of Court 243.1 and 243.2, and the Court should deny both the District Attorney's Motion and his Request.

DATED: February 6, 2004

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP
Theodore J. Boutrous, Jr.
Julian W. Poon

By: 

Theodore J. Boutrous, Jr.

Attorneys for National Broadcasting Company, Inc.;
CBS Broadcasting Inc.; Fox News Network L.L.C.;
ABC, Inc.; Cable News Network LP, LLLP; Courtroom
Television Network LLC; The Associated Press; Los
Angeles Times; and The New York Times Company

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⁴ It has been publicly reported that another search was executed by Santa Barbara County authorities on or about Saturday, January 31, 2003, at the Los Angeles County residence of F. Marc Schaffel, one of Defendant Jackson's music producers. See Poon Decl. at ¶ 2 and Exhibit A thereto. To date, the District Attorney does not appear to have filed anything in this Court pertaining to these latest raids, but these warrant records when they are filed should be open to the public, particularly given that Los Angeles County Sheriff's officials have publicly confirmed that such a search took place at the Schaffel residence on or about January 31.

DECLARATION OF JULIAN W. POON

I, Julian W. Poon, declare as follows:

1. I am an associate with Gibson, Dunn & Crutcher LLP, which has been retained by National Broadcasting Company, Inc.; CBS Broadcasting Inc.; Fox News Network L.L.C.; ABC, Inc.; Cable News Network LP, LLLP; Courtroom Television Network LLC; The Associated Press; Los Angeles Times; and The New York Times Company ("the Access Proponents"). I make this declaration in support of the Opposition of the Access Proponents to (1) Plaintiff's Motion for Order Directing That Certain Search Warrants, Supporting Affidavits and Returns Be Filed and Maintained Under Conditional Seal Until Further Order of Court, and (2) Plaintiff's Request That Request for Order Directing the Sheriff to Lodge Certain Items of Property with the Court Be Filed Under Seal [sic]. I have personal knowledge of the facts stated in this declaration, unless the context indicates otherwise, and, if called as a witness, could and would testify competently thereto.

2. Attached as Exhibit A hereto is a copy of a news article describing how Santa Barbara County Sheriff's investigators searched the Los Angeles County home of F. Marc Schaffel, one of Defendant Jackson's former music producers, on or about Saturday, January 31, 2004. In the news article, a Los Angeles County Sheriff's spokesman is reported to have publicly confirmed that this search took place.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct and was executed by me at Los Angeles, California, on February 6, 2004.


Julian W. Poon

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EXHIBIT A



photo gallery ►

February 1, 2004

Michael Jackson producer's Calabasas home raided

by HILLY MEDINA
LOS ANGELES TIMES STAFF WRITER

CALABASAS — Santa Barbara County Sheriff's investigators searched the Los Angeles County home of one of Michael Jackson's former music producers on Saturday, but they didn't detail how the raid plays into the current child molestation case against the pop star.

Local investigators searched the Calabasas residence of F. Marc Schaffel, confirmed Los Angeles County Sheriff's Deputy John Caffrey.

Two years ago, Mr. Schaffel executive-produced Mr. Jackson's star-studded benefit single "What More Can I Give," a September 11 song that became a too-hot property when the producer's ties to the gay pornography industry surfaced. The singer's advisers reportedly asked Sony Music to drop the single after that disclosure.

The music company was also reportedly asked to abandon the single after advisers found out that Mr. Jackson had asked Mr. Schaffel to produce it and that he had signed over the song's rights to Mr. Schaffel.

Mr. Schaffel also produced a video of outtakes from a documentary — Mr. Jackson's "home movies" special — made shortly after the controversial Martin Bashir special, "Living with Michael Jackson," to give Mr. Jackson's side of the story.

This is the second time associates of Mr. Jackson have had their homes searched because of their ties to the singer in his current child molestation case. The day the singer's Neverland Valley Ranch was raided in November, Santa Barbara County authorities also raided the West Hills home of a videographer on the Jackson TV special and the Los Angeles offices of a film company.

Saturday, Santa Barbara County sheriff's spokesman Sgt. Chris Pappas declined to say whether a search warrant was executed, citing Santa Barbara County Superior Court Judge Rodney S. Melville's gag order prohibiting all parties involved in Mr. Jackson's case from commenting.

The Web site for the television magazine "Entertainment Tonight" said Mr. Schaffel was not home during the raid, but his attorney was. A helicopter for "ET" hovered above the home while the investigators were present, and reportedly saw items being taken from the home and loaded into an official vehicle.

Deputy Caffrey said L.A. County authorities did not take part in the search but were notified because Mr. Schaffel's home is in Los Angeles County. He said the search took place between 3 and 4 p.m.

Mr. Jackson has pleaded innocent to seven counts of lewd or lascivious acts with a child under 14 and two counts of giving the child an intoxicating agent, reportedly wine. He is free on \$3 million bail pending trial.

The producer, whose phone number is not listed, couldn't immediately be reached for comment.

He and Mr. Jackson reportedly met four years ago at a fund-raising event. Mr. Schaffel's name appears as producer and director on several dozen gay videos, a fact that reportedly led others in Mr. Jackson's camp to try and put some distance between the men. Mr. Jackson apparently resisted, bringing Mr. Schaffel on for two big TV specials last year, including the rebuttal to Mr. Bashir.

[article index »](#)

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CERTIFICATE OF SERVICE

MAIL, COMMERCIAL OVERNIGHT MESSENGER, FAX, HAND DELIVERY

I, Lindie S. Joy, hereby certify as follows:

I am employed in the County of Los Angeles, State of California; I am over the age of eighteen years and am not a party to this action; my business address is 333 South Grand Avenue, Los Angeles, California 90071, in said County and State; I am employed in the office of Julian W. Poon, a member of the bar of this Court, and at his/her direction, on February 6, 2004, I served the following:

**OPPOSITION OF THE ACCESS PROPONENTS TO (1) PLAINTIFF'S MOTION FOR ORDER DIRECTING THAT CERTAIN SEARCH WARRANTS, SUPPORTING AFFIDAVITS AND RETURNS BE FILED AND MAINTAINED UNDER CONDITIONAL SEAL UNTIL FURTHER ORDER OF COURT, AND (2) PLAINTIFF'S REQUEST THAT REQUEST FOR ORDER DIRECTING THE SHERIFF TO LODGE CERTAIN ITEMS OF PROPERTY WITH THE COURT BE FILED UNDER SEAL [sic];
DECLARATION OF JULIAN W. POON IN SUPPORT THEREOF**

on the interested parties in this action, by:

☒ Service by Mail: placing true and correct copy(ies) thereof in an envelope addressed to the attorney(s) of record, addressed as follows:

Thomas W. Sneddon
District Attorney
Santa Barbara County
1105 Santa Barbara Street
Santa Barbara, CA 93101-2007

Mark John Geragos
Geragos & Geragos
350 S. Grand Avenue, Suite 3900
Los Angeles, CA 90071-3480

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.

☐ Service by Commercial Overnight Messenger: placing true and correct copy(ies) thereof in an envelope addressed to the attorney(s) of record, addressed as follows:

1 and after sealing said envelope I caused same to be delivered to the aforementioned attorney(s) by
2 qualified commercial overnight messenger.

3 ☒ Service by Fax: causing a true copy thereof to be sent via facsimile to the attorney(s) of
4 record at the telecopier number(s) so indicated, addressed as follows:

5 **Attorney Name & Address**

Fax and Callback Number

6 Thomas W. Sneddon
7 District Attorney
8 Santa Barbara County
9 1105 Santa Barbara Street
10 Santa Barbara, CA 93101-2007

Facsimile: (805) 568-2398
Telephone: (805) 568-2306

11 Mark John Geragos
12 Geragos & Geragos
13 350 S. Grand Avenue, Suite 3900
14 Los Angeles, CA 90071-3480

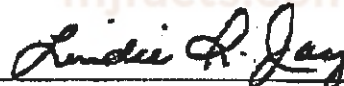
Facsimile: (213) 625-1600
Telephone: (213) 625-3900

15 and that the transmission was reported as completed and without error.

16 ☐ Service by Hand Delivery: delivering true and correct copy(ies) thereof and sufficient
17 envelope(s) addressed to the attorney(s) of record, addressed as follows:

18 to a messenger or messengers for personal delivery.

19 I certify under penalty of perjury that the foregoing is true and correct, that the foregoing
20 document(s), and all copies made from same, were printed on recycled paper, and that this Certificate
21 of Service was executed by me on February 6, 2004 at Los Angeles, California.

22 
Lindie S. Joy

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