

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA
FEB 07 2005
GARY H. BLUNT, CLERK
BY *Carrie L. Wagner*
CARRIE L. WAGNER, COUNTY CLERK

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA

THE PEOPLE OF THE STATE OF CALIFORNIA,) Case No.: 1133603
Plaintiff,) Order for Release of Redacted Documents
vs.) [Plaintiff's Motion to Limit Any Reference by
MICHAEL JACKSON,) Defense Counsel to Jane Doe's [Redacted]
Defendant.)

The redacted form of the Plaintiff's Motion to Limit Any Reference by Defense Counsel to Jane Doe's [Redacted] attached to this order shall be released and placed in the public file. The court finds that there is more material in the motion that should be redacted than that contained in the proposed redacted version. The unredacted originals shall be maintained conditionally under seal pending the hearing on February 10, 2005.

Dated: FEB 07 2005

Rodney S. Melville
RODNEY S. MELVILLE
Judge of the Superior Court

1 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY
County of Santa Barbara
2 By: RONALD J. ZONEN (State Bar No. 85094)
Senior Deputy District Attorney
3 J. GORDON AUCHINCLOSS (State Bar No. 150251)
Senior Deputy District Attorney
4 GERALD McC. FRANKLIN (State Bar No. 40171)
Senior Deputy District Attorney
5 1112 Santa Barbara Street
Santa Barbara, CA 93101
6 Telephone: (805) 568-2300
FAX: (805) 568-2398
7

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

11 ~~PROPOSED~~ REDACTED VERSION

12 THE PEOPLE OF THE STATE OF CALIFORNIA,)

No. 1133603

13 Plaintiff,)

PLAINTIFF'S MOTION TO
LIMIT ANY REFERENCE BY
DEFENSE COUNSEL TO JANE
DOE'S [REDACTED]

14 v.

15 MICHAEL JOE JACKSON,

16 Defendant.)

DATE: February 10, 2005
TIME: 9:30 a.m.
DEPT: TBA (Melville)

18 ~~UNDER SEAL~~

19
20 TO: THE CLERK OF THE SUPERIOR COURT AND TO DEFENDANT AND HIS
21 COUNSEL:

22 PLEASE TAKE NOTICE that on February 10, 2005, Plaintiff will move the court
23 for its order limiting counsel in their references to "[REDACTED]".

24 The motion will be based on this notice and the accompanying Memorandum of
25 Points and Authorities.

26 ////

27 ////

28 ////

1 DATED: January 31, 2005

2 Respectfully submitted,

3 THOMAS W. SNEDDON, JR.
4 District Attorney

5 By: /s/
6 Ronald J. Zonen, Senior Deputy

7 Attorneys for Plaintiff

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 DEFENSE COUNSEL PROPERLY MAY INQUIRE WHETHER
3 JANE DOE WAS USING DRUGS DURING THE TIME SHE
4 WAS A WITNESS TO THE EVENTS ALLEGED AS RELEVANT
5 TO THE INSTANT PROCEEDINGS – AND, IF SO, WHAT DRUGS.
6 COUNSEL MAY NOT PROPERLY EXPAND THAT INQUIRY [REDACTED]

7 [REDACTED]
8 [REDACTED]

9
10 The defense seeks to question Jane Doe about whether she was using drugs during
11 the time of the events occurring at Neverland. Their contention, as stated in their “Opposition
12 to District Attorney’s Motion In Limine Re: Evidence Code Section 402 Issues” is that she was
13 on medications, or should have been.

14 “[REDACTED] medication is relevant because her taking it or failure to take it
15 would have a significant effect on her behavior. . . . Evidence that [REDACTED]

16 [REDACTED]
17 [REDACTED]
18 testifies, as she did before the grand jury, that she saw improper behavior, but, at the time,
19 thought it may have been a hallucination, the fact that [REDACTED]
20 [REDACTED] is relevant to her ability to perceive and recollect.”

21 (Motion 4:10-18.)

22 It is relevant to ask Jane Doe if she was taking medications at the time that might
23 interfere with her ability to adequately recall events.

24 Plaintiff anticipates Mrs. Doe will answer she was not; that she was taking no
25 medications during the times in question, nor is she taking them now. She took pain
26 medications briefly after the “C-section” delivery of her forth child in July of 2004. [REDACTED]

27 [REDACTED]
28 [REDACTED]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[REDACTED]

DATED: January 31, 2005

THOMAS W. SNEDDON, JR.
District Attorney

By: 131
Ronald J. Zonen, Senior Deputy
Attorneys for Plaintiff

PROOF OF SERVICE

STATE OF CALIFORNIA
COUNTY OF SANTA BARBARA

} SS

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and I am not a party to the within-entitled action. My business address is: District Attorney's Office; Courthouse; 1112 Santa Barbara Street, Santa Barbara, California 93101.

Redacted

On January 31, 2005, I served the within PLAINTIFF'S MOTION TO EXCLUDE ANY REFERENCE BY DEFENSE COUNSEL TO JANE DOE'S USE OF (OR FAILURE TO USE) "PSYCHIATRIC MEDICATION" on Defendant, by THOMAS A. MESEREAU, JR., ROBERT SANGER and BRIAN OXMAN, by personally delivering a true copy thereof to the attorney representing Defendant in the jury selection proceedings in court.

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

Executed at Santa Maria, California on this 31st day of January, 2005.

Terad Mc C. Oraniller

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SERVICE LIST

THOMAS A. MESEREAU, JR.
Collins, Mesereau, Reddock & Yu, LLP
1875 Century Park East, No. 700
Los Angeles, CA 90067
FAX: [CONFIDENTIAL]

Attorney for Defendant Michael Jackson

ROBERT SANGER, ESQ.
Sanger & Swysen, Lawyers
233 E. Carrillo Street, Suite C
Santa Barbara, CA 93001
FAX: (805) 963-7311

Co-counsel for Defendant

BRIAN OXMAN, ESQ.
Oxman & Jaroscak, Lawyers
14126 E. Rosecrans Blvd.,
Santa Fe Springs, CA 90670

Co-counsel for Defendant

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SERVICE LIST

THOMAS A. MESEREAU, JR.
Collins, Mesereau, Reddock & Yu, LLP
1875 Century Park East, No. 700
Los Angeles, CA 90067
FAX: [CONFIDENTIAL]

Attorney for Defendant Michael Jackson

ROBERT SANGER, ESQ.
Sanger & Swysen, Lawyers
233 E. Carrillo Street, Suite C
Santa Barbara, CA 93001
FAX: (805) 963-7311

Co-counsel for Defendant

BRIAN OXMAN, ESQ.
Oxman & Jaroscak, Lawyers
14126 E. Rosecrans Blvd.,
Santa Fe Springs, CA 90670

Co-counsel for Defendant

PROOF OF SERVICE
1013A(1)(3), 1013(c) CCP

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA:

I am a citizen of the United States of America and a resident of the county aforesaid. I am employed by the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action. My business address is 312-H East Cook Street, Santa Maria, California.

On FEBRUARY 7, 2005, I served a copy of the attached ORDER FOR RELEASE OF REDACTED DOCUMENT (PLAINTIFF'S MOTION TO LIMIT ANY REFERENCE BY DEFENSE COUNSEL TO JANE DOE'S REDACTED) addressed as follows:

THOMAS A. MESEREAU, JR.
COLLINS, MESEREAU, REDDOCK & YU, LLP
1875 CENTURY PARK EAST, 7TH FLOOR
LOS ANGELES, CA 90067

THOMAS W. SNEDDON, JR.
DISTRICT ATTORNEY'S OFFICE
1112 SANTA BARBARA STREET
SANTA BARBARA, CA 93101

FAX

By faxing true copies thereof to the receiving fax numbers of: (805) 456-0699 (Thomas Mesereau, Jr.); (805) 568-2398 (Thomas Sneddon). Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(i), a transmission report was properly issued by the transmitting facsimile machine and is attached hereto.

MAIL

By placing true copies thereof enclosed in a sealed envelope with postage fully prepaid, in the United States Postal Service mail box in the City of Santa Maria, County of Santa Barbara, addressed as above. That there is delivery service by the United States Postal Service at the place so addressed or that there is a regular communication by mail between the place of mailing and the place so addressed.

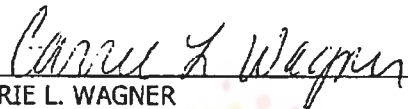
PERSONAL SERVICE

By leaving a true copy thereof at their office with the person having charge thereof or by hand delivery to the above mentioned parties.

EXPRESS MAIL

By depositing such envelope in a post office, mailbox, sub-post office, substation, mail chute, or other like facility regularly maintained by the United States Postal Service for receipt of Express Mail, in a sealed envelope, with express mail postage paid.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 7TH day of FEBRUARY, 2005, at Santa Maria, California.


CARRIE L. WAGNER