

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

<b>Dated &amp; Entered:</b>	FEBRUARY 13, 2004	<b>Time:</b>	8:30 A.M.	<b>F</b>	
<b>Honorable</b>	<b>RODNEY S. MELVILLE</b>			<b>CC</b>	
<b>Deputy Clerk:</b>	L. FREY/P. BLAYLOCK	<b>Dept.</b>	SM TWO	<b>CA</b>	
<b>Deputy Sheriff:</b>	A. MORENO			<b>AC</b>	
<b>Court Reporter:</b>	M. MC NEIL	<b>Case No.</b>	1133603	<b>SR</b>	
<b>Plaintiff:</b>	THE PEOPLE OF THE STATE OF CALIFORNIA			<b>ST</b>	
<b>vs.</b>				<b>DOC</b>	<b>X</b>
<b>Defendant(s):</b>	MICHAEL JOE JACKSON				
<b>District Attorney:</b>	THOMAS W. SNEDDON, JR., ET AL				
<b>Defense Counsel:</b>	MARK J. GERAGOS, ET AL				
<b>Probation Officer:</b>	<b>Interpreter:</b>				

**NATURE OF PROCEEDINGS:** PRELIMINARY HEARING SETTING; IN-CAMERA HEARING RE: APPOINTMENT OF SPECIAL MASTER FOR SEALED DOCUMENTS; MOTION FOR ORDER DIRECTING THAT CERTAIN WARRANTS FOR FURTHER SEARCH OF HARD DRIVES, SUPPORTING AFFIDAVIT AND RETURN TO BE FILED AND MAINTAINED UNDER SEAL UNTIL FURTHER ORDER OF THE COURT; PLAINTIFF'S MOTION DIRECTING THAT SEARCH WARRANT NO. SW4915, ITS SUPPORTING AFFIDAVIT AND RETURN TO BE FILED AND MAINTAINED UNDER CONDITIONAL SEAL; PLAINTIFF'S MOTION DIRECTING THAT SEARCH WARRANT NO. SW4912, ITS SUPPORTING AFFIDAVIT AND RETURN BE FILED AND MAINTAINED UNDER CONDITIONAL SEAL; DEF'S. MOTION FOR ORDER SEALING DEFENDANT'S RESPONSE TO PLAINTIFF'S MEMORANDUM REGARDING DEFENDANT'S CLAIM OF ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT PRIVILEGES; PLAINTIFF'S MOTION FOR ORDER DIRECTING THAT CERTAIN SEARCH WARRANTS AND SUPPORTING AFFIDAVITS AND RETURNS BE FILED AND MAINTAINED UNDER CONDITIONAL SEAL UNTIL FURTHER ORDER OF THE COURT; PLAINTIFF'S MOTION FOR ORDER SEALING PLAINTIFF'S REPLY TO DEFENDANT'S RESPONSE TO PLAINTIFF'S MEMO RE: PRIVILEGE CLAIMS

Felony Complaint Filed December 18, 2003 charging the Defendant with Counts 1 thru 7: 288(a) P.C. a Felony, Counts 8 and 9: 222 P.C. a Felony, Enhancements on Counts 1 through 7: 1192.7(c)(6) P.C. and 1203.066(a)(8) P.C.

The Court made orders re: Ex-Parte Hearing, In-Camera Hearing, Motions, Appointment of a Special Master, Filing of documents timely, prior approval of Court dates by the Court and Continuances.

PEOPLE  
VS  
MICHAEL JOE JACKSON  
February 13, 2004  
Page 2

Counsels present for the People are: Thomas W. Sneddon, Jr., Gerald M. Franklin and Ronald J. Zonen

Counsels present for the Defendant are: Mark J. Geragos, Benjamin Brafman, Robert M. Sanger, Steve Cochran

Counsel present for Bradley Mills: Daniel V. Nixon

Counsel present for the Media: Theodore Boutrous, Jr.

At 8:05 a.m. in chambers with Deputy District Attorney Thomas W. Sneddon, Jr., Defense Attorney Benjamin Brafman and Counsel for the media Theodore Boutrous present ex-parte hearing was held. Discussion was held re sealing of search warrants #4912 and #4913. The Court heard arguments and ruled as follows: As to the sealed affidavit received this date by the District Attorney and support of ex-parte hearing, the Court orders that the affidavit shall remain sealed until further hearing but the Court will issue redacted copies of search warrants #4912 and #4913 after Mr. Sneddon's review prior to the release in redacted form.

At Counsel for the media's request, the Court further orders that the transcripts of these proceedings shall be released to the public after being reviewed by the Court.

Ex-parte hearing concluded at 8:25 a.m.

At 8:34 a.m. with Court and Counsel present, and defendant Michael Joe Jackson not appearing having previously signed a 977 P.C. waiver, hearing began.

Discussion re scheduling was held

Counsel for the defendant stated that a notarized time waiver could be filed with the Court within ten days. All counsel shall research whether or not the time waiver must be signed in open Court.

The Court ordered that defendant Michael Joe Jackson shall be present on March 5, 2004 at 8:30 a.m. in Dept. SM9 and noted that this date may be vacated if waiver is signed.

Motions to seal search warrants were submitted on the written documents by the District Attorney and Defendant's Counsel and Counsel for the media made his arguments to the Court.

The Court made his rulings as stated in the ex-parte hearing held this date including rulings on the search warrants, affidavits and returns and noted that copies of the transcript shall be released after the Courts review.

The issue of evidence lodged under seal was held In-Camera. Off the record, the Court ordered said transcript to be transcribed and sealed until further order of the Court.

At 9:55 a.m. with Court and Counsel present, hearing continued.

PEOPLE  
VS  
MICHAEL JOE JACKSON  
February 13, 2004  
Page 3

The Court instructed all counsel that they are to comply with all time lines as follows: Motions shall be filed 10 days prior to the hearing, responses are filed 5 days before the hearing and replies 2 days before the hearing. Furthermore, no orders shall be included in the body of the Motion, but shall be filed under separate heading.

Counsel addressed the Court re In-Camera hearing.

The issue of appointment of a Special Master was addressed. The Court will not be appointing one at this time and will be reviewing the materials himself. If further argument is necessary, the Court will notice all Counsel.

As to the Safe Harbor Issue, the Court invites Counsel again to submit written proposals by February 19, 2004 by 5:00 p.m. All Counsel shall be served appropriately including Counsel for the media. Until further order of the Court, the previous ruling re the Safe Harbor issue shall remain in effect.

Counsel is further directed to contact his office prior to filing any motions so that the Court may approve a date.

Counsel for the defendant states that he will also file a time waiver for preliminary hearing by February 19, 2004 at 5:00 p.m. if agreement is reached by all parties that the defendant's personal presence may be further waived.

At 10:30 a.m. Court is in recess and said matter is continued to April 2, 2004 at 8:30 a.m. in Dept. SM 9 re: Setting for Preliminary Hearing and Further Motions.

Off the record the Court ordered the unsealing of Defendant's and District Attorney's papers on the work product issue.

The warrants that were conditionally sealed shall remain conditionally sealed.

Defendant shall remain released on his bail previously posted.

Court is in recess.

CLERK OF THE SUPERIOR COURT

BY Patty Blaylock  
Patty Blaylock, Deputy Clerk