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18 Attorneys for Defendant
19 **MICHAEL JOSEPH JACKSON**

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

MAR 02 2005

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

**Unsealed pursuant
to 6/16/05 court
order*

FILED UNDER SEAL *✓*

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION

16 THE PEOPLE OF THE STATE OF
17 CALIFORNIA,

18 Plaintiffs,

19 vs.

20 MICHAEL JOSEPH JACKSON,

21 Defendant.

Case No. 1133603

MR. JACKSON'S MEMORANDUM
OF POINTS AND AUTHORITIES IN
SUPPORT OF MOTION TO COMPEL
COMPLIANCE WITH SUBPOENA
TO DR. GEORGE SUN

DECLARATION OF BRIAN OXMAN

Honorable Rodney S. Melville

Date: March 11, 2005

Time: 8:30 a.m.

Dept: SM-28

INTRODUCTION

Mr. Michael Jackson submits this Memorandum in Support of his Motion to Compel Compliance with Subpoena and Subpoena Duces Tecum to Dr. George Sun. Mr. Jackson's Motions based on the following grounds:

(1) There is no physician-patient privilege in criminal proceedings, and the Subpoenaed Party's objection to responding to Mr. Jackson's subpoena is without legal or factual support;

(2) The complaining mother's medical treatment with Dr. George Sun and Advanced Center Medical Group is relevant and material to this case because she solicited money from individuals, including Michael Jackson, claiming she needed to pay for medical bills for her ill child, when in truth she utilized the money to obtain an "elective" breast enhancement and tummy tuck with Dr. Sun and Advanced Center Medical Group, and the costs and payment details of such diversion of funds demonstrates a pattern of misrepresentation to obtain money from Michael Jackson;

(3) The complaining mother's medical records and condition is relevant because she claims physical injuries as a result of Mr. Jackson's conduct and she has placed in issue her physical and mental conditions.

A. Statement of the Case.**1. Mr. Jackson's Subpoena to Dr. George Sun and Advanced Center Medical Group for Medical Records.**

On January 25, 2005, Mr. Jackson served a Subpoena Duces Tecum on the Custodian of Records for Dr. George Sun. (Exhibit "A"). While subpoena sought all medical records for Janet Arvizo, Davellin Arvizo, Gavin Arvizo, and Star Arvizo, who are all complaining witnesses in this case, the only person Dr. Sun actually treated was the complaining mother, Janet Arvizo. The subpoena was based on the claims from the complaining witnesses that they suffered physical and psychological injury as a result of the conspiracy alleged in this case.

The subpoena was also designed to obtain information concerning the dates of the complaining mother's treatment and expenditure of money from the complaining mother that she had obtained from Michael Jackson and other individuals by claiming she was destitute and needed money to pay for the

1 medical expenses for her ill son. The truth was all of the medical bills for the ill child were paid for by
2 medical insurance, and the solicitation of funds from Mr. Jackson and other persons and organizations was
3 fraudulent. More important, the money she obtained from Mr. Jackson and others was falsely utilized to
4 pay for a breast enhancement and tummy tuck with Dr. Sun at the Advanced Center Medical Group in the
5 latter part of 2001, and was not utilized to pay for her son's medical bills as she had represented to Mr.
6 Jackson.

7 On January 26, 2005, Mr. Jackson also personally served a Notice of Subpoena on the complaining
8 witnesses. (Exhibit "B"). The notice provided that if there was any objection to the subpoena, the
9 objection should be filed with the court by February 1, 2005. No objection to the Subpoena or Subpoena
10 Duces Tecum has been filed by Dr. Sun.

11 However, on January 27, 2005, complaining witness Janet Arvizo, served an Objection to
12 Subpoenas on Mr. Jackson. The Objection stated:

13 "...Janet Arvizo hereby objects to the subpoena issued to the custodian of records of Dr.
14 George Sun and Advanced Center Medical Group on the basis that the subpoena duces tecum is
15 overly broad, irrelevant, intrusive, and violates Janet Arvizo's, Davellin Arvizo's, Star Arvizo's Jay
16 Jackson's, and Baby Jackson's rights to privacy.... Furthermore, the court should review these
17 records in camera to determine relevancy prior to turning them over to defendant's attorneys."
18 (Exhibit "C")

19 **4. The complaining mother placed her physical and mental condition in issue.**

20 Mr. Jackson seeks Janet Arvizo's medical records because she has placed in issue her medical and
21 mental condition in this proceeding. The complaining mother testified that her older son took a BB gun,
22 deliberately aimed it at her, and shot her in the leg. (GJ Tr., p. 1209, lns 17-21). She claimed it was
23 Michael Jackson's fault and a product of the trauma inflicted on her older boy. (Police Interview, 8-13-04,
24 Exhibit "F," p. 13 ln 12 to p. 14, ln 7). She also claims that because of the false imprisonment she
25 experience, she experienced physical and emotional trauma that prevented her from promptly reporting the
26 incident, which by definition, places her medical condition in issue in this proceeding.

27 In any other circumstance, the older son would have been charged with an assault with a deadly
28 weapon. But here, Mr. Jackson is blamed for the actions of a violent and out of control youth. Mr. Jackson

1 is entitled to all medical records of the complaining mother because she has placed her medical condition in
2 issue in this case and blamed Mr. Jackson for her son's violent conduct.

3 The complaining mother cannot claim physical injuries that are Mr. Jackson's fault and then hide
4 her medical records. The effort to conceal her medical records in and of itself is a warning sign there is
5 something wrong with this prosecution. When the complaining mother accused Mr. Jackson of harming
6 her son resulting in physical injury to her, she cannot thereafter try to hide her medical records that
7 demonstrate the falsity of her claims.

8 **5. Under Evidence Code section 998, There is No Physician-Patient Privilege in**
9 **Criminal Proceedings**

10 The effort to hide the complaining mother's medical records is all the more suspicious because there
11 is no physician patient privilege in criminal matters. Evidence Code section 998 provides no such privilege
12 exists before a criminal court. It is inexcusable for the complaining mother to come before this Court a
13 second time and assert either a right to privacy or a physician patient privilege for her medical records when
14 no such privileges exist and the complaining mother's claims to privilege and right to privacy in this case
15 are without foundation.

16 The rule that there is no physician-patient privilege in criminal cases has existed for well over one
17 hundred years. People v. Lane, 101 Cal. 513, 516 (1894). The complaining mother made this identical
18 same objection on October 28, 2004, when Mr. Jackson sought medical records from UCLA Medical
19 Center. This court granted Mr. Jackson's request for the UCLA records filed November 19, 2004, ordering
20 production of the records, finding there was no privilege or right to privacy, and that since the complaining
21 mother had put her physical and mental condition at issue, the records were relevant to this proceeding.

22 **B. Basis for Motion to Compel Production of Documents.**

23 The items sought in the subpoena are not overly broad and seek specifically the medical records, the
24 dates of treatment, and records of bills and payments for the complaining mother. There is no physician-
25 patient privilege in criminal proceedings, and the complaining witnesses' objection to Mr. Jackson's
26 subpoena is without legal or factual support. The complaining mother's medical treatment with Dr. Sun is
27 relevant and material to this case because she solicited money from individuals, including Michael Jackson,
28 claiming she needed to pay for medical bills for her ill child, when in truth she utilized the money to obtain

1 an "elective" breast enhancement and tummy tuck with Dr. Sun with the Advanced Center Medical, and the
2 costs and payment details of such diversion of funds demonstrates a pattern of misrepresentation to obtain
3 money from Michael Jackson and others for her own personal use. The complaining mother's medical
4 records and condition is relevant because she claims physical injuries as a result of Mr. Jackson's conduct
5 and she has placed in issue her physical and mental

6 II.

7 THE COURT SHOULD COMPEL PRODUCTION OF THE MEDICAL RECORDS 8 BECAUSE THEY ARE RELEVANT AND NOT COVERED 9 BY ANY PRIVILEGE

10 A. The Records Sought are not Overly Broad, Intrusive or Irrelevant.

11 Mr. Jackson's subpoena to Dr. Sun requests records with respect to medical treatment, dates of
12 treatment, billing and payment records for the complaining witnesses. In actuality, it is only the
13 complaining mother, as far as Mr. Jackson knows, who was treated by Dr. Sun. There is no issue of over
14 broadness, vagueness, or ambiguity, and complaining witnesses' privacy and relevancy issues are discussed
15 below.

16 B. There is No Physician-Patient Privilege in Criminal Proceedings.

17 The complaining mother's objection and claim of physician-patient privilege and right to privacy is
18 without foundation. No such privilege exists in criminal cases. The objection is baseless.

19 The physician patient privilege did not exist at common law and is strictly controlled by statute.
20 Kramer v. Policy Holders Life Ins. Assn, 5 Cal. App. 2d 38, 384 (1935). Evidence Code section 998
21 provides, "There is no privilege under this article in a criminal proceeding." It is a fundamental tenant of
22 the physician patient privilege that it has no application in criminal proceedings. People v. Combes, 56
23 Cal. 2d 135, 149 (1961)(no individual may claim any privilege based on a physician-patient relationship in
24 any criminal proceeding).

25 The rule that there is no physician patient privilege has long been the law in California. People v.
26 Lane, 101 Cal. 513, 516 (1894); People v. West, 106 Cal. 89, 91 (1895). There is no doctor-patient
27 privilege in criminal cases. People v. Ditson, 57 Cal. 2d 415, 448 (1962), cert. denied, 371 U.S. 852, cert.
28 dismissed, 372 U.S. 933 (1963); People v. Gonzales, 182 Cal. App. 2d 276, 280 (1960); People v.

1 Griffith, 146 Cal. 339 (1905); People v. Dutton, 62 Cal. App. 2d 862 (1944). "There is no physician-
2 patient privilege for any communication sought to be disclosed in a criminal action. Evid C sec. 998." 2
3 Jefferson's California Evidence Benchbook, sec. 37.22, at 827 (3d ed. 2004).

4 In People v. Combes, 56 Cal. 2d 135, 149 (1961), the court stated:

5 "There is no physician-patient privilege in criminal cases. (Code of Civil Procedure, section 1881,
6 subdivision 4, provides for the privilege in civil cases only.) Testimony is admissible concerning
7 the results and findings of a physical examination of a defendant to which he has voluntarily
8 submitted. (People v. Gutierrez, 126 Cal.App. 526, 531.)"

9 More importantly, this court has already heard the same argument by complaining witnesses with
10 respect to the UCLA Medical Center Records. That argument was overruled and the records were ordered
11 produced.. This is the identical issue EXCEPT that this subpoena goes a step further, tracing dates and
12 payments made for the complaining mother's elective surgeries.

13 The only objection is that of the complaining mother. The plain fact is the complaining mother
14 utilized funds she solicited from Mr. Jackson and others under false pretenses to obtain an elective surgery
15 that was unnecessary. The records from Dr. George Sun will demonstrate both her false solicitation of
16 money, misuse of funds, and fraudulent scheme to obtain money for her own selfish purposes.

17 **C. Mr. Jackson's Right to A Fair Trial Outweighs the Mother's Privacy Claims.**

18 The complaining mother has testified about her medical condition and her mental state and accused
19 Michael Jackson of injuring her. She accused Mr. Jackson of causing her physical injuries, including
20 trauma from false imprisonment and being shot by a BB Gun. Mr. Jackson's interest in a fair trial far
21 outweighs any of the mother's claims to privacy.

22 The constitutional right to privacy is not absolute and is outweighed by rights to a fair trial. Binder
23 v. Superior Court, 196 Cal. App. 3d 893, 900 (1987). Other state interests, such as facilitating the
24 ascertainment of truth in a criminal proceeding, outweigh privacy rights. Board of Trustees v. Superior
25 Court, 119 Cal. App. 3d 516, 524-25 (1981). In Palay v. Superior Court, 18 Cal. App. 4th 919, 933 (1993),
26 the court stated:

27 "The constitutional right to privacy is not absolute. ([Jones v. Superior Court,] 119
28 Cal.App.3d at p. 550; Board of Medical Quality Assurance v. Gherardini, supra, 93 Cal.App.3d at p.

679.) It may be outweighed by supervening concerns. (Ibid.) The state has enough of an interest in discovering the truth in legal proceedings, that it may compel disclosure of confidential material. (Jones v. Superior Court, supra, 119 Cal.App.3d at p. 550.) "[A]n individual's medical records may be relevant and material in the furtherance of this legitimate state purpose" (Board of Medical Quality Assurance v. Gherardini, supra, 93 Cal.App.3d at p. 679.) An "intrusion upon constitutionally protected areas of privacy requires a 'balancing of the juxtaposed rights, and the finding of a compelling state interest.' [Citations.]" (Jones v. Superior Court, supra, 119 Cal.App.3d at p. 550.)"

Mr. Jackson has a right to determine the veracity of not only the complaining mother, but also the physicians involved, and the court should compel production of the medical records. The complaining mother's veracity is further tested by her misrepresentations to the community at large that she was raising money to pay her son's medical bills while spending the money on her own elective, cosmetic surgeries. The records sought will further evidence these misrepresentations and this conduct.

D. The Mother's Medical Condition is Relevant because She has Placed her Medical Condition into Issue.

The complaining mother placed her physical and mental state in issue in this case. The complaining mother's medical conditions is a relevant issue of this case, as are the medications she is or is not taking, the narcotics she is ingesting, and her physical injuries attributable to Mr. Jackson. The mother has been [REDACTED] (See Motion for Mental Examination filed November 22, 2004). Mr. Jackson has the right to the medical records that demonstrate both her need for drugs and the drugs that have been prescribed to her.

There is no physician-patient privilege as to a communication relevant to an issue concerning the condition of the patient if such issue has been tendered by the patient. Evidence Code sec. 996(a); Palay v. Superior Court, 18 Cal. App. 4th 919, 926 (1993). There is no privilege in any action in which a party tenders the issue of their own medical condition. 2 Jefferson's California Evidence Benchbook, sec 37.31, at 829 (3d ed. 2004), citing Evidence Coded section 996(d). Where the patient's condition is involved as an issue of the case, even though the patient is not an actual party to the action, Evidence code section 996

1 provides the physician patient privilege is waived. 2 B. Witkin, California Evidence, Witnesses sec. 1196,
2 at 1140 (3d ed. 1986).

3 In City & County of San Francisco v. Superior Court, 37 Cal.2d227, 232 (1951), the court stated:

4 "The patient-litigant exception precludes one who has placed in issue his physical condition from
5 invoking the privilege on the ground that disclosure of his condition would cause him humiliation.
6 He cannot have his cake and eat it too."

7 The complaining mother has tendered her medical condition by testifying to physical injuries and
8 emotional trauma caused by the alleged false imprisonment, and also from a violent assault on her by her
9 own son which she claims was Michael Jackson's fault. The complaining mother has waived all physician-
10 patient privileges and claims of rights to privacy by tendering the issue of her medical condition. The
11 objection should be overruled.

12 III

13 CONCLUSION

14 For the foregoing reasons, Mr. Michael Jackson requests his Motion to Compel Compliance with
15 Subpoena be granted.

16 DATED: March 1, 2005

COLLINS, MESEREAU, REDDOCK & YU
Thomas A. Mesereau, Jr.
Susan C. Yu

18 SANGER & SWYSEN
Robert M. Sanger

19 OXMAN & JAROSCAK
20 Brian Oxman

21 By: 

22 R. Brian Oxman
23 Attorneys for Mr. Michael Jackson

1 DECLARATION OF BRIAN OXMAN

2
3 I, Brian Oxman, declare and say:

4 1. I am an attorney at law admitted to practice before all the courts of the State of California and I
5 am an attorney for Michael Jackson. I submit this declaration in support of Mr. Jackson's Motion to
6 Compel Compliance with Subpoena to Dr. George Sun.

7 2. On January 25, 2005, Mr. Jackson served a Subpoena Duces Tecum on the Custodian of Records
8 for Dr. George Sun. (Exhibit "A"). While subpoena sought all medical records for Janet Arvizo, Davellin
9 Arvizo, Gavin Arvizo, and Star Arvizo, who are all complaining witnesses in this case, the only person Dr.
10 Sun actually treated was the complaining mother, Janet Arvizo. The subpoena was based on the claims
11 from the complaining witnesses that they suffered physical and psychological injury as a result of the
12 conspiracy alleged in this case.

13 3. The subpoena was also designed to obtain information concerning the dates of the complaining
14 mother's treatment and expenditure of money from the complaining mother that she had obtained from
15 Michael Jackson and other individuals by claiming she was destitute and needed money to pay for the
16 medical expenses for her ill son. The truth was all of the medical bills for the ill child were paid for by
17 medical insurance, and the solicitation of funds from Mr. Jackson and other persons and organizations was
18 fraudulent. More important, the money she obtained from Mr. Jackson and others was falsely utilized to
19 pay for a breast enhancement and tummy tuck with Dr. Sun at the Advanced Center Medical Group in the
20 latter part of 2001, and was not utilized to pay for her son's medical bills as she had represented to Mr.
21 Jackson.

22 4. On January 26, 2005, Mr. Jackson also personally served a Notice of Subpoena on the
23 complaining witnesses. (Exhibit "B"). The notice provided that if there was any objection to the subpoena,
24 the objection should be filed with the court by February 1, 2005. No objection to the Subpoena or
25 Subpoena Duces Tecum has been filed by Dr. Sun.

26 5. However, on January 27, 2005, complaining witness Janet Arvizo, served an Objection to
27 Subpoenas on Mr. Jackson. The Objection stated:

1 "...Janet Arvizo hereby objects to the subpoena issued to the custodian of records of Dr.
2 George Sun and Advanced Center Medical Group on the basis that the subpoena duces tecum is
3 overly broad, irrelevant, intrusive, and violates Janet Arvizo's, Davellin Arvizo's, Star Arvizo's Jay
4 Jackson's, and Baby Jackson's rights to privacy.... Furthermore, the court should review these
5 records in camera to determine relevancy prior to turning them over to defendant's attorneys."
6 (Exhibit "C")

7 6. Mr. Jackson seeks Janet Arvizo's medical records because she has placed in issue her medical
8 and mental condition in this proceeding. The complaining mother testified that her older son took a BB
9 gun, deliberately aimed it at her, and shot her in the leg. (GJ Tr., p. 1209, lns 17-21). She claimed it was
10 Michael Jackson's fault and a product of the trauma inflicted on her older boy. (Police Interview, 8-13-04,
11 Exhibit "F," p. 13 ln 12 to p. 14, ln 7). She also claims that because of the false imprisonment she
12 experience, she experienced physical and emotional trauma that prevented her from promptly reporting the
13 incident, which by definition, places her medical condition in issue in this proceeding.

14 7. In any other circumstance, the older son would have been charged with an assault with a deadly
15 weapon. But here, Mr. Jackson is blamed for the actions of a violent and out of control youth. Mr. Jackson
16 is entitled to all medical records of the complaining mother because she has placed her medical condition in
17 issue in this case and blamed Mr. Jackson for her son's violent conduct.

18 8. The complaining mother cannot claim physical injuries that are Mr. Jackson's fault and then hide
19 her medical records. The effort to conceal her medical records in and of itself is a warning sign there is
20 something wrong with this prosecution. When the complaining mother accused Mr. Jackson of harming
21 her son resulting in physical injury to her, she cannot thereafter try to hide her medical records that
22 demonstrate the falsity of her claims.

23 9. The effort to hide the complaining mother's medical records is all the more suspicious because
24 there is no physician patient privilege in criminal matters. Evidence Code section 998 provides no such
25 privilege exists before a criminal court. It is inexcusable for the complaining mother to come before this
26 Court a second time and assert either a right to privacy or a physician patient privilege for her medical
27 records when no such privileges exist and the complaining mother's claims to privilege and right to
28 privacy in this case are without foundation.

1 10. The rule that there is no physician-patient privilege in criminal cases has existed for well over
2 one hundred years. People v. Lane, 101 Cal. 513, 516 (1894). The complaining mother made this identical
3 same objection on October 28, 2004, when Mr. Jackson sought medical records from UCLA Medical
4 Center. This court granted Mr. Jackson's request for the UCLA records filed November 19, 2004, ordering
5 production of the records, finding there was no privilege or right to privacy, and that since the complaining
6 mother had put her physical and mental condition at issue, the records were relevant to this proceeding. 10.

7 I declare under penalty of perjury under the laws of the State of California the foregoing is true and
8 correct.

9 Executed this 1st day of March, 2005, at Santa Maria, California.

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13 R. Brian Oxman
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Exhibit “A”

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address): Thomas A. Mesereau, Jr. 91182 1875 Century Park East, Suite 700 Los Angeles, CA 90067	TELEPHONE NO.: Brian Oxman 07217 (310) 284-3120 14126 E. Rosecrans (562) 921-5058 Santa Fe Springs, CA	FOR COURT USE ONLY
ATTORNEY FOR (Name): Michael Joe Jackson Insert name of court, judicial district or branch court, if any, and post office and street address: Santa Barbara County Superior Court, Santa Maria Division 312 E. Cook Street (Dept. SM-2: Judge Rodney Melville) Santa Maria, CA 93454		
Title of case: The People of the State of California v. Michael Jackson, et al.		
SUBPENA (CRIMINAL OR JUVENILE) <input checked="" type="checkbox"/> DUCES TECUM		
CASE NUMBER: 1133603		

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (NAME):

Custodian of Records, Dr. George Sun and Advanced Center Medical Group

1. **YOU ARE ORDERED TO APPEAR AS A WITNESS** in this action at the date, time, and place shown in the box below **UNLESS** you make a special agreement with the person named in item 3:

a. Date: February 8, 2005	Time: 9:00 a.m.	<input checked="" type="checkbox"/> Dept.: SM-2	<input type="checkbox"/> Div.:	<input type="checkbox"/> Room:
b. Address: 312 E. Cook Street, Dept. SM-2 (Judge Rodney Melville) Santa Maria, CA 93454				

2. AND YOU ARE

- a. ☐ ordered to appear in person.
- b. ☒ not required to appear in person if you produce the records described in the accompanying affidavit and a completed declaration of custodian of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose your original declaration with the records. Seal them. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number, your name and date, time, and place from item 1 (the box above). (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4) Mail a copy of your declaration to the attorney or party shown at the top of this form.
- c. ☐ ordered to appear in person and to produce the records described in the accompanying affidavit. The **personal attendance** of the custodian or other qualified witness and the production of the original records is **required** by this subpoena. The procedure authorized by subdivision (b) of section 1560, and sections 1561 and 1562, of the Evidence Code will not be deemed sufficient compliance with this subpoena.
- d. ☐ ordered to make the **original business records** described in the accompanying affidavit available for inspection at your business address by the attorney's representative and to permit **copying** at your business address under reasonable normal business hours, conditions during normal business hours.

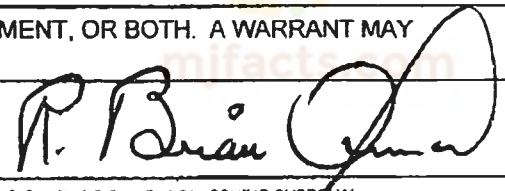
3. **IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:**

a. Name: Brian Oxman

b. Telephone number: (562) 921-5058

4. **WITNESS FEES:** You may be entitled to witness fees, mileage, or both, in the discretion of the court. Contact the person named in item 3 **AFTER** your appearance.

DISOBEDIENCE OF THIS SUBPENA MAY BE PUNISHED BY A FINE, IMPRISONMENT, OR BOTH. A WARRANT MAY ISSUE FOR YOUR ARREST IF YOU FAIL TO APPEAR.

FOR COURT USE ONLY 	Date: January 24, 2005	<div style="text-align: center;">  (SIGNATURE OF PERSON ISSUING SUBPENA) </div> <div style="text-align: center;"> R. Brian Oxman (TYPE OR PRINT NAME) Attorney for Michael J. Jackson (TITLE) </div>
(See reverse for proof of service)		

ATTACHMENT TO ITEM 2(b)

Subpoena to Custodian of Records, Dr. George Sun and Advanced
Center Medical Group
January 24, 2005

The items described in the following Affidavit to be
produced pursuant to this subpoena are as follows:

(1) All DOCUMENTS constituting, evidencing,
concerning, discussing, or mentioning the care, treatment,
medical services, examinations, diagnosis, outpatient services,
monitoring, or in-patient treatment rendered to COMPLAINANTS, who
are:

(a) Janet Arvizo, aka Janet Ventura or Janet
Jackson, date of birth [REDACTED] social security number [REDACTED]

(b) Davellin Arvizo, date of birth [REDACTED]
social security number [REDACTED]

(c) Gavin Arvizo, date of birth [REDACTED]
social security number [REDACTED]

(d) Star Arvizo, date of birth [REDACTED]
social security number [REDACTED]

(e) Jay Daniel Jackson, date of birth [REDACTED]
social security number [REDACTED]

(f) Baby Jackson born [REDACTED] at UCLA
Medical Center to Janet Arvizo (aka Janet Jackson and Janet
Ventura) and Jay Daniel Jackson.

(2) All DOCUMENTS constituting, evidencing,
concerning, discussing or mentioning the complete medical chart
for any of the COMPLAINANTS, who are:

(a) Janet Arvizo, aka Janet Ventura or Janet
Jackson, date of birth [REDACTED] social security number [REDACTED]

(b) Davellin Arvizo, date of birth [REDACTED]
social security number [REDACTED]

(c) Gavin Arvizo, date of birth [REDACTED]
social security number [REDACTED]

(d) Star Arvizo, date of birth [REDACTED]
social security number [REDACTED]

(e) Jay Daniel Jackson, date of birth [REDACTED]
social security number [REDACTED]

(f) Baby Jackson born [REDACTED] at UCLA
Medical Center to Janet Arvizo (aka Janet Jackson and Janet
Ventura) and Jay Daniel Jackson.

(3) All DOCUMENTS constituting, evidencing,
concerning, discussing, or mentioning the following for any of
the COMPLAINANTS:

(a) medical records, questionnaires, doctors
and nurses notes, prescribed or recommended medications, medical,
psychiatric, or psychological records of history, diagnosis,
treatment and prognosis, obstetrics reports and examinations,
medical reports and examinations, and physical examination
reports;

(b) medical, psychiatric, or psychological records of history, diagnosis, treatment and prognosis, in patient care and treatment records, physical examination reports, counseling records, rehabilitation and physical therapy records, recommended rehabilitation, and prescribed aftercare;

(c) images and reports for X-ray's, MRI's, CT Scan's, ultrasound's, IVP's, and all other medical imaging scans, slides, tests, films, electronic stored images, and reports relating to all such imaging;

(d) results of diagnostic tests, laboratory tests, pathology slides, tissue samples, and reports regarding samples, slides, and tests;

(e) work or school absentee excuses and records, medical, health, and psychological insurance information;

(f) billing information, bills, statements of charges, records of payments, including source of payments, insurance billings, insurance claims, Medi-cal payments, insurance information and records, and insurance payment and reimbursement information;

(g) prescribed or recommended medications, medical prescriptions, psychological prescriptions, re-fills on medications, prescription compliance, and dose adjustment records

(h) all medical records, notes, reports, correspondence, communications, prescriptions, and the complete medical chart of Dr. George Sun regarding any of the COMPLAINANTS.

Collins, Mesereau, Reddock & Yu, LLP
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Los Angeles, CA 90067
(310) 284-3120

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(562) 921-5058

Attorneys for defendant,
Mr. Michael Jackson

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs

MICHAEL JACKSON,

Defendant.

Case No. 1133603

DECLARATION AND
APPLICATION
FOR SUBPOENA DUCES TECUM

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA

1. The undersigned states: That he is the attorney of record for defendant, Michael Jackson, in the above-entitled action and that this cause has been duly set for hearing on February 8, 2005, at 8:30 a.m. in Department SM-2 of the Santa Barbara Superior Court, located at 312 East Cook Street, Santa Maria, California 93454.

2. Witness the Custodian of Records for Dr. George Sun and Advanced Center Medical Group, has in his possession or control the following documents, objects, or other tangible things:

A. INSTRUCTIONS AND DEFINITIONS:

(1) As used herein, the term "DOCUMENT" or "DOCUMENTS" means any handwritten, recorded, typed, printed, pictorial, or graphic matter whatsoever, however produced or reproduced, and including without limitation, all "WRITINGS" as defined in California Evidence Code § 250. The term "DOCUMENT" or "DOCUMENTS" also includes any data compilation of any sort, whether stored magnetically, electronically, or otherwise, from which information can be obtained, translated, or, if necessary, through detection devices into reasonably usable form. Any

comment or notation appearing on any document, and not a part of the original text, is considered a separate document and any copy, draft, or preliminary form of any document is also considered a separate document.

(2) As used herein, the term "DOCUMENT" is intended to include within its scope each and every "ORIGINAL" (as the term is defined in California Evidence Code Section 255), and each and every "DUPLICATE" (as the term is defined in Evidence Code Section 260), of each and every "WRITING" (as the term is defined in California Evidence Code § 250) described in the requests set forth below. All such documents are meant to referred to those DOCUMENTS which are within your possession and control, or subject to your possession or control.

(3) As used herein, "ACCOUNT" shall include, but not be limited to, any bank account, saving account, certificate of deposit, share draft account, time deposit, money market account, trust accounts, Individual Retirement Account, 401K account, credit card account, revolving credit account, or other financial instrument or demand deposit. Where DOCUMENTS are requested concerning such ACCOUNTS, you shall produce all records of monthly statements, cancelled checks, deposit checks and drafts, deposit records and receipts, wire transfers, wire deposits, automatic withdrawals or deposits, monthly charges, interest payments, and fees.

(4) As used herein, the "COMPLAINANTS" refers to

(a) Janet Arvizo, aka Janet Ventura or Janet Jackson, date of birth [REDACTED] social security number [REDACTED]

(b) Davellin Arvizo, date of birth [REDACTED] social security number [REDACTED]

(c) Gavin Arvizo, date of birth [REDACTED] social security number [REDACTED]

(d) Star Arvizo, date of birth [REDACTED] social security number [REDACTED]

(e) Jay Daniel Jackson, date of birth [REDACTED] social security number [REDACTED]

or any person who is their representative, agent, or acting on their behalf, including their partners, corporations, or business entities where they have a property or ownership interest. The term "COMPLAINANTS" refers to all the individuals mentioned in this paragraph individually, whether or not the names of the others persons identified in this paragraph appear or are mentioned in the DOCUMENT. The term "COMPLAINANTS" also include present and former attorneys, agents, representatives, and any other persons acting on behalf of COMPLAINANT.

(5) As used herein, the "COMPLAINT" refers to the reports, claims, or allegations made by the COMPLAINANTS regarding Mr. Michael Jackson, which are stated in the Indictment in the case of People v. Michael Jackson, SBSC Case no. 1133603.

(6) "YOU" or "YOURS" refers to the Custodian of Records of Dr. George Sun and Advanced Center Medical Group, and all of its agents, representatives, employees, attorneys, or any person acting on his behalf.

(7) As used herein, "PERSON" or "PERSONS" means any natural individual in any capacity whatsoever, and all entities of every description, including, but not limited to, associations, organizations (public or private), agencies, companies, partnerships, joint ventures, corporations, and trusts.

(8) As used herein, "REPRESENTATIVE" or "REPRESENTATIVES" means any person (as defined herein) who acts, has at any time acted, or has purported to act, at the request of, for the benefit of, or on behalf of another, including, but not limited to, the parents, guardians, or agents of COMPLAINANT, businesses, partnership, corporation, in which they have an interest or association as reflected in YOUR records.

(9) As used herein, the term "COMMUNICATION" is to be interpreted comprehensively, and means any instance in which information was exchanged between or among two or more persons, including any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever made, and all understanding or exchanges of information between or among two or more persons.

(10) As used herein, the term "CORRESPONDENCE" means any handwritten, printed, typed, or otherwise recorded communication whatsoever between or among two or more persons, and includes, without limitation, memoranda, letters, notes, telegrams, telexes, facsimile transmissions, email records, and marginal notations or comments.

B. DOCUMENTS TO BE PRODUCED:

(1) All DOCUMENTS constituting, evidencing, concerning, discussing, or mentioning the care, treatment, medical services, examinations, diagnosis, outpatient services, monitoring, or in-patient treatment rendered to COMPLAINANTS, who are:

(a) Janet Arvizo, aka Janet Ventura or Janet Jackson, date of birth [REDACTED] social security number [REDACTED]

(b) Davellin Arvizo, date of birth [REDACTED] social security number [REDACTED]

(c) Gavin Arvizo, date of birth [REDACTED] social security number [REDACTED]

(d) Star Arvizo, date of birth [REDACTED] social security number [REDACTED]

(e) Jay Daniel Jackson, date of birth [REDACTED] social security number [REDACTED]

(f) Baby Jackson born [REDACTED] at UCLA Medical Center to Janet Arvizo (aka Janet Jackson and Janet

Ventura) and Jay Daniel Jackson.

(2) All DOCUMENTS constituting, evidencing, concerning, discussing or mentioning the complete medical chart for any of the COMPLAINANTS, who are:

(a) Janet Arvizo, aka Janet Ventura or Janet Jackson, date of birth [REDACTED] social security number [REDACTED]

(b) Davellin Arvizo, date of birth [REDACTED] social security number [REDACTED]

(c) Gavin Arvizo, date of birth [REDACTED] social security number [REDACTED]

(d) Star Arvizo, date of birth [REDACTED] social security number [REDACTED]

(e) Jay Daniel Jackson, date of birth [REDACTED] social security number [REDACTED]

(f) Baby Jackson born [REDACTED] at UCLA Medical Center to Janet Arvizo (aka Janet Jackson and Janet Ventura) and Jay Daniel Jackson.

(3) All DOCUMENTS constituting, evidencing, concerning, discussing, or mentioning the following for any of the COMPLAINANTS:

(a) medical records, questionnaires, doctors and nurses notes, prescribed or recommended medications, medical, psychiatric, or psychological records of history, diagnosis, treatment and prognosis, obstetrics reports and examinations, medical reports and examinations, and physical examination reports;

(b) medical, psychiatric, or psychological records of history, diagnosis, treatment and prognosis, in patient care and treatment records, physical examination reports, counseling records, rehabilitation and physical therapy records, recommended rehabilitation, and prescribed aftercare;

(c) images and reports for X-ray's, MRI's, CT Scan's, ultrasound's, IVP's, and all other medical imaging scans, slides, tests, films, electronic stored images, and reports relating to all such imaging;

(d) results of diagnostic tests, laboratory tests, pathology slides, tissue samples, and reports regarding samples, slides, and tests;

(e) work or school absentee excuses and records, medical, health, and psychological insurance information;

(f) billing information, bills, statements of charges, records of payments, including source of payments, insurance billings, insurance claims, Medi-cal payments, insurance information and records, and insurance payment and reimbursement information;

(g) prescribed or recommended medications, medical prescriptions, psychological prescriptions, re-fills on medications, prescription compliance, and dose adjustment records

(h) all medical records, notes, reports, correspondence, communications, prescriptions, and the complete medical chart of Dr. George Sun regarding any of the COMPLAINANTS.

3. The above documents are material to the issues involved in the case by reason of the following facts:

A. The information sought will lead to witness, documents, and discoverable evidence that will show the claims made in the Pending Criminal Case in the Santa Barbara Superior Court are unfounded.

B. The information sought by this subpoena will disclose motives, biases, and exaggerations on behalf of and engaged in by the various persons identified in the above requests who are witnesses in this proceeding;

C. The information sought contains information regarding the background, motives, state of mind, character and reputation for veracity, and reports of COMPLAINANTS and the various persons identified in the above-requests who are witnesses in this proceeding;

D. The requested documents and/or information contains the prior inconsistent statements, recollections, observations, and reactions of COMPLAINANTS to the events and circumstances which gave rise to the Pending Criminal Case in the Santa Barbara Superior Court;

E. The requested materials constitute evidence of a financial motive for making false and inaccurate claims in this matter;

4. Good cause exists for the production of the above described matters and things by reason of the following facts:

A. The subpoenaed party is the sole and exclusive source of all such information, and no other person, business, or other entity has possession or control of such information.

B. The information requested by this Subpoena discloses the motive, intent, and conscious state of mind of persons making claims in the Santa Barbara Superior Court, along with persons directing, counseling and controlling the complainants in the Santa Barbara Superior Court action.

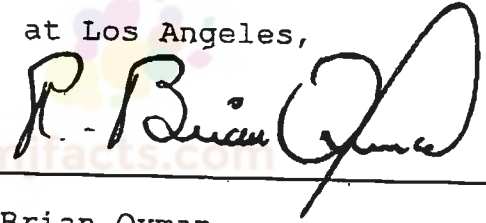
C. No other source exists for such information because such disclosures were made only in the records of the subpoenaed party, and the only person with such information is the

subpoenaed party.

WHEREFORE, request is made that the Subpoena Duces Tecum issue.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Executed this 24h day of January, at Los Angeles, California.



R. Brian Oxman

DECLARATION OF CUSTODIAN OF RECORDS

Custodian of Records, Dr. George Sun, Advanced Center Medical Group

I, _____, declare and say:

(1) I am the duly authorized Custodian of Records for Dr. George Sun and Advanced Center Medical Group, and I have the authority to certify such records.

(2) The copies of the records attached hereto are a true copy of records which are kept by, or in the possession of Dr. George Sun and Advanced Center Medical Group;

(3) These records were prepared by the personnel of the business in the ordinary course of business at or near the time of the act, condition, or event, and the times specified on the records.

I declare under penalty of perjury under the law of the State of California the foregoing is true and correct.

Executed this _____ day of February, 2005, at _____, California.

Custodian of Records

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

JUL 09 2007

GARY M. BLAIR, Executive Officer

CARRIE L. WAGNER, Deputy Clerk

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

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

MICHAEL JACKSON,

Defendant.

Case No.: 1133603

Protective Order Regarding Defendant's
Subpoenas Duces Tecum

Good cause appearing, it is hereby ordered that the clerk of the court shall permit Defendant Michael Jackson, by and through his counsel, to subpoena materials without disclosing the nature of the subpoena, the person or items sought by the subpoena, or the response to the subpoena and any materials returned therewith.

It is further ordered, without limiting the generality of the foregoing, that:

1. The clerk of the court shall segregate and keep confidential and not disclose to the People any materials pertaining to the subpoena, including returns, documents, and other materials returned in response to said subpoena.

///

///

1 2. The clerk of the court shall permit Counsel for the defendant to subpoena
2 materials to the court on days and times at which the case itself is not on calendar for
3 other purposes.

4 3. Persons or entities subpoenaed by the defendant shall not disclose directly or
5 indirectly to the People the fact that they have been subpoenaed or the nature of the
6 subpoena.

7 4. Any appearance, objection, compliance, or other communication by a party
8 subpoenaed by the defendant shall be filed under seal.

9 5. Any hearings involving the materials pertaining to the subpoena, including
10 returns, documents and other materials returned in response to the subpoena regarding
11 compliance, privacy or other issues shall be held in camera.

12 6. This order does not affect the right of any party whose records are subpoenaed
13 to assert any applicable claims of privilege.

14 7. Subject to the resolution of any issues of privilege that may be asserted, the
15 clerk of the court shall permit counsel for the defendant to inspect and copy the
16 subpoenaed materials.

17 8. A copy of this order shall be served with each subpoena to which it pertains.

18 DATED: JUL 09 2004

19 Rodney S. Melville

20 RODNEY S. MELVILLE
21 Judge of the Superior Court

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address): Thomas A. Mesereau, Jr. 91182 1875 Century Park East, Suite 700 Los Angeles, CA 90067	TELEPHONE NO.: Brian Oxman 07217 (310) 284-3120 14126 E. Rosecrans (562) 921-5058 Santa Fe Springs, CA	FOR COURT USE ONLY
ATTORNEY FOR (Name): Michael Joe Jackson Insert name of court, judicial district or branch court, if any, and post office and street address: Santa Barbara County Superior Court, Santa Maria Division 312 E. Cook Street (Dept. SM-2: Judge Rodney Melville) Santa Maria, CA 93454		mifacts.com
Title of case: The People of the State of California v. Michael Jackson, et al.		
SUBPENA (CRIMINAL OR JUVENILE) <input type="checkbox"/> DUCES TECUM	CASE NUMBER: 1133603	

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (NAME):

Dr. George Sun

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action at the date, time, and place shown in the box below
 UNLESS you make a special agreement with the person named in item 3:

a. Date: February 8, 2005	Time: 9:00 a.m.	<input checked="" type="checkbox"/> Dept.: SM-2 <input type="checkbox"/> Div.: <input type="checkbox"/> Room:
b. Address: 312 E. Cook Street, Dept. SM-2 (Judge Rodney Melville) Santa Maria, CA 93454		

2. AND YOU ARE

- a. ☒ ordered to appear in person.
- b. ☐ not required to appear in person if you produce the records described in the accompanying affidavit and a completed declaration of custodian of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose your original declaration with the records. Seal them. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number, your name and date, time, and place from item 1 (the box above). (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4) Mail a copy of your declaration to the attorney or party shown at the top of this form.
- c. ☐ ordered to appear in person and to produce the records described in the accompanying affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records is required by this subpoena. The procedure authorized by subdivision (b) of section 1560, and sections 1561 and 1562, of the Evidence Code will not be deemed sufficient compliance with this subpoena.
- d. ☐ ordered to make the original business records described in the accompanying affidavit available for inspection at your business address by the attorney's representative and to permit copying at your business address under reasonable normal business hours, conditions during normal business hours.

3. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:

a. Name: Brian Oxman

b. Telephone number: (562) 921-5058

4. WITNESS FEES: You may be entitled to witness fees, mileage, or both, in the discretion of the court. Contact the person named in item 3 AFTER your appearance.

DISOBEDIENCE OF THIS SUBPENA MAY BE PUNISHED BY A FINE, IMPRISONMENT, OR BOTH. A WARRANT MAY ISSUE FOR YOUR ARREST IF YOU FAIL TO APPEAR.	Date: January 24, 2005	<div style="text-align: center;"> (SIGNATURE OF PERSON ISSUING SUBPENA) </div> <div style="text-align: center;"> R. Brian Oxman (TYPE OR PRINT NAME) </div> <div style="text-align: center;"> _____ (TITLE) </div>
(See reverse for proof of service)		(TITLE)

SHORT TITLE: PEOPLE v. JACKSON	CASE NUMBER: 1133603
--	--------------------------------

PROOF OF SERVICE OF SUBPENA

1. I served this ☒ Subpena ☒ Subpena Duces Tecum and supporting affidavit by personally delivering a copy to the person served as follows:

- a. Person served (name): **JOANNE TORRES (OFFICE MGR)**
- b. Address where served: **DR GEORGE SON
ADVANCED DENTIST MEDICAL CENTER
624 W. DOAR TO RD #102**
- c. Date of delivery: **1/25/05**
- d. Time of delivery: **12:40 PM**

2. I received this subpoena for service on (date): **1-25-05**

3. ☐ **NON-SERVICE RETURN OF SUBPENA**

a. ☐ After due search, careful inquiry, and diligent attempts at the dwelling house or usual place of abode or usual place of business, I have been unable to make personal delivery of this ☐ Subpena ☐ Subpena Duces Tecum in this county on the following persons (specify):

b. Reason:

- | | |
|---|--|
| (1) <input type="checkbox"/> Unknown at address. | (4) <input type="checkbox"/> Out-of-county address. |
| (2) <input type="checkbox"/> Moved, forwarding address unknown. | (5) <input type="checkbox"/> Unable to serve by hearing date. |
| (3) <input type="checkbox"/> No such address. | (6) <input type="checkbox"/> Other reasons (explanation required): |

4. Person serving:

- a. ☐ Not a registered California process server.
- b. ☐ California sheriff, marshal, or constable.
- c. ☒ Registered California process server.
- d. ☐ Employee or independent contractor of a registered California process server.

e. ☐ Exempt from registration under Bus. & Prof. Code section 22350(b).

f. Name, address, and telephone number and, if applicable, county of registration and number:

**Stephen Distaso
14126 E. Rosecrans Blvd.
Santa Fe Springs, Ca 90670
(562) 921-5058
Los Angeles County # 5079**

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

(For California sheriff, marshal, or constable use only)
I certify that the foregoing is true and correct.

Date: **1/25/05**

Date:

Stephen P. Distaso
(SIGNATURE)

▶

(SIGNATURE)

Exhibit "B"



COLLINS, MESEREAU, REDDOCK & YU
Thomas A. Mesereau, Jr., State Bar Number 091182
Susan C. Yu, State Bar Number 195640
1875 Century Park East, 7th Floor
Los Angeles, CA 90067
Tel.: (310) 284-3120, Fax: (310) 284-3133

SANGER & SWYSEN
Attorneys at Law
Robert M. Sanger, State Bar No. 058214
233 East Carrillo Street, Suite C
Santa Barbara, CA 93101
Tel.: (805) 962-4887, Fax: (805) 963-7311

OXMAN & JAROSCAK
Brian Oxman, State Bar No. 072172
14126 East Rosecrans
Santa Fe Springs, CA 90670
Tel.: (562) 921-5058, Fax: (562) 921-2298

Attorneys for Defendant
MICHAEL JOSEPH JACKSON

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiffs,

vs.

MICHAEL JOSEPH JACKSON,

Defendant.

Case No. 1133603

NOTICE OF SUBPOENAS

Honorable Rodney S. Melville

Date: None

Time: None

Dept: None

1 TO JANET ARVIZO, DAVELLIN ARVIZO, GAVIN ARVIZO, STAR ARVIZO, AND JAY
2 JACKSON:

3 PLEASE TAKE NOTICE that pursuant to the Court's Order of November 29, 2004, you are being
4 provided with notice of the subpoenas served on you on January 25, 2005. Pursuant to that Order, you are
5 not to disclose this information or permit any other person to make any disclosures of this information to
6 any third person not your agent. Nor are you to disclose this information to any member of the prosecution,
7 including but not limited to the Santa Barbara District Attorney, the Santa Barbara Sheriff's Office, or any
8 other person, business, or other entity.

9 You are hereby advised that you have five (5) court days from the service of this Notice to file any
10 objection and set a hearing regarding these documents. That time expires on the close of business on
11 February 1, 2005. The Court has ordered the parties to file papers by 3:00 p.m. on the date they are due.

12 Nothing in this Notice is intended to provide you with legal advice. Any legal advice regarding this
13 matter should come from your own attorney.

14
15 Dated: January 25, 2005

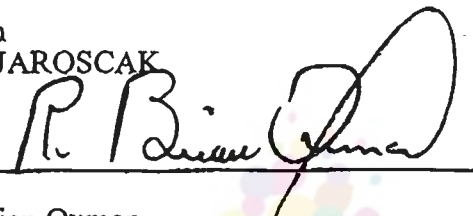
Respectfully submitted,

16 Thomas A. Mesereau, Jr.
17 Susan Yu
18 COLLINS, MESEREAU, REDDOCK & YU

19 Robert M. Sanger
20 SANGER & SWYSEN

21 Brian Oxman
22 OXMAN & JAROSCAK

23 By:



24 R. Brian Oxman
25 Attorneys for Defendant
26 Michael Jackson
27
28

PROOF OF PERSONAL SERVICE

I, Michael Distaso, declare and say:

I work for the Law Offices of Oxman and Jaroscak located at 14126 East Rosecrans Blvd., Santa Fe Springs, California. I am over 18 years of age and not a party to the within action. On January 26, 2005, I served the following copies of subpoenas

Michael Manning
William Dickerman
George Sun

on the interested parties by placing a true copy of the document in a sealed envelope, and personally serving it on:

Janet Arvizo
Davellin Arvizo
Gavin Arvizo
Star Arvizo
Jay Jackson

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Executed this 26th day of January, 2005, at Santa Fe Springs, California.

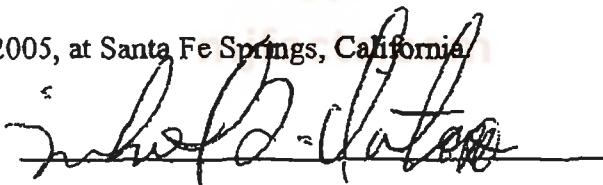

Michael Distaso

Exhibit “C”



KAYE SCHOLER LLP
Larry R. Feldman, Bar Number 45126
Julian Brew, Bar Number 150615
Theodore Maya, Bar Number 223242
1999 Avenue of the Stars, Suite 1700
Los Angeles, California 90067-6048
Telephone: (310) 788-1000
Fax: (310) 788-1200

Attorneys for Janet Arvizo

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff,

v.

MICHAEL JACKSON,

Defendant.

CASE NO. 1133603

OBJECTION TO SUBPOENAS

TO BE FILED UNDER SEAL

1 TO DEFENDANT MICHAEL JOSEPH JACKSON AND HIS ATTORNEYS OF
2 RECORD:

3 PLEASE TAKE NOTICE that Janet Arvizo hereby objects to the subpoena issued to
4 the custodian of records of Dr. George Sun and Advanced Center Medical Group on the basis
5 that the subpoena *duces tecum* is overly broad, irrelevant, intrusive and violates Janet
6 Arvizo's, Davellin Arvizo's, Gavin Arvizo's, Star Arvizo's, Jay Jackson's, and Baby
7 Jackson's rights to privacy.

8 Furthermore, the Court should review these records *in camera* to determine relevancy
9 prior to turning them over to the defendant's attorneys.

10
11 Dated: January 27, 2005

KAYE SCHOLER LLP

12
13 By:


Larry Feldman
Attorneys for Janet Arvizo

KAYE SCHOLER LLP

PROOF OF SERVICE

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1999 Avenue of the Stars, Suite 1700, Los Angeles, California 90067.

On January 28, 2005, I served the following documents described as:

OBJECTION TO SUBPOENAS

by placing a true copy of the above entitled document in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

by **FEDERAL EXPRESS**

☒ by **U.S. 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 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.)

OR

by **PERSONAL SERVICE**

by personally delivering such envelope to the addressee.

by causing such envelope to be delivered by messenger to the office of the addressee.

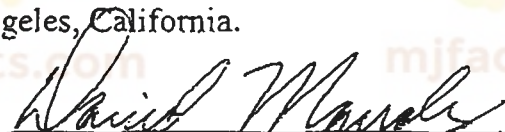
☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 28, 2005, at Los Angeles, California.

David Mandis

Name



Signature

SERVICE LIST

Thomas A. Mesereau, Jr.
1875 Century Park East, Suite 700
Los Angeles, CA 90067

Brian Oxman
14126 E. Rosecrans
Santa Fe Springs, CA 90670

Dr. George Sun
Advanced Center Medical Group
624 W. Duarte Road, Suite 102
Arcadia, California 91007

KAYE SCHOLER LLP