

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

MAR 09 2005

GARY M. BLAIR, Executive Officer
BY Carrie L. Wagner
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

Order for Release of Redacted Documents

[Motion By Owners For Return of Personal
Property Taken by District Attorney etc.]

The redacted form of Motion By Owners For Return of Personal Property Taken by
District Attorney etc. attached to this order shall be released and placed in the public file. The
Motion shall remain sealed pending a hearing on the motion to seal.

Dated: MAR 09 2005

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

1 LAW OFFICES OF PEASE & de PETRIS
 2 Edgar B. Pease III, Esq. [SB #159919]
 3 3055 Wilshire Boulevard, 12th Fl.
 4 Los Angeles, CA 90010-1137
 5 Tel: (213) 383-8084
 6 Fax: (213) 383-8084 3089

7 Attorney for Co-Defendants
 8 HENRY VACCARO JR., VINTAGE POP,
 9 ELMER KENDRICK, EL-RICH CORP,
 10 HENRY VACCARO, DEEP END ENTERTAINMENT;
 11 in Federal Civil Actions
 12 Case Nos. CV 04-1946 MRP (Ex) and
 13 CV-04-1987 FMC (Ex)

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA

15 COUNTY OF SANTA BARBARA

16 COOK DIVISION/SANTA MARIA BRANCH

17 FILED UNDER SEAL

~~FILED UNDER SEAL~~

18 PEOPLE OF THE STATE OF CALIFORNIA,)
 19)
 20 Plaintiff,)

Dept. 02
 HON. RODNEY S. MELVILLE
 Case No. 1133603

21 vs.

22 MICHAEL JOE JACKSON,
 23 Defendant.

) NOTICE OF MOTION BY OWNERS
) FOR RETURN OF PERSONAL
) PROPERTY TAKEN BY DISTRICT
) ATTORNEY, TOM SNEDDON, FOR
) USE IN CRIMINAL CASE AGAINST
) MICHAEL JACKSON PURSUANT TO
) C.PEN. CODE 51417.2 et. seq.

24 TO THOMAS SNEDDON, DISTRICT ATTORNEY FOR THE COUNTY OF SANTA
 25 BARBARA, THOMAS A. MESEREAU JR., AND ALL COUNSEL OF RECORD FOR
 26 DEFENDANT MICHAEL J. JACKSON:

TO BE DETERMINED

27 PLEASE TAKE NOTICE that on 2005, at 8:30 a.m., or as
 28 soon thereafter as the matter may be heard, in Dept./Div. 02 (HON.
 JUDGE RODNEY S. MELVILLE), of the Superior Court of California,
 Santa Barbara County, Cook Division, located at 312-C East Cook

Street, Santa Maria, CA 93456-5369, all Defendants in Federal Civil Actions Case Nos. CV 04-1946 MRP (Ex) and CV-04-1987 FMC (Ex), styled as MICHAEL J. JACKSON, v. HENRY V. VACCARO, dba Deep End Entertainment and dba Vintage Pop, DEEP ENTERTAINMENT, VINTAGE POP, et. al. and consolidated case JANET JACKSON, BLACK DOLL v. HENRY V. VACCARO et. al., including HENRY V. VACCARO, HENRY VACCARO JR., VINTAGE POP, INC., ELMER KENDRICK, EL-RICH CORP, and DEEP END ENTERTAINMENT, JACKSONVAULT.COM and THEJACKSONVAULT.COM, will move this Court for an Order:

1) Return of all property taken by the Santa Barbara Sheriffs and the Monmoth County Prosecutor's Office on 3/17/04 and 3/04/04 for use in People v. Michael Jackson, Case No. 1133603;

2) For a complete and updated inventory of the items and documents taken by the Santa Barbara Sheriffs and the Monmoth County Prosecutor's Office 3/05/04 and 3/17/04 for use in People v. Michael Jackson, Case No. 1133603;

3) For a declaration regarding the whereabouts, if known, of lost or missing items as known by the District Attorney's Office, County of Santa Barbara;

4) For copies of all investigative materials and reports and/or DNA analysis or any other testing done by the District Attorney's Office, County of Santa Barbara, or its agents, of said items for use by Movants herein in Federal Civil Actions Case Nos. CV 04-1946 MRP (Ex) and CV-04-1987 FMC (Ex);

5) In the alternative, if the original items are not ordered returned, copies of all items, documents and reports and test results taken herein; and

1 6) That Plaintiffs and Defendants in Federal Civil Actions
2 Case Nos. CV 04-1946 MRP (Ex) and CV-04-1987 be granted access to
3 all items taken and held by the Office of the District Attorney of
4 the County of Santa Barbara for inspection, analysis and/or
5 inventory.

6 This Motion will be further based on the attached Memorandum
7 of Points and Authorities, the attached Declarations of Henry V.
8 Vaccaro, Frank Coonis, P.I., and attorney for Co-Defendants in
9 Federal Civil Actions Case Nos. CV 04-1946 MRP (Ex) and CV-04-1987
10 Edgar B. Pease III, Esq., the attached Exhibit(s) "A" through "I",
11 all papers filed and records in the above referenced actions,
12 evidence taken at the hearing on this motion, and oral argument at
13 the hearing.

14
15 Date: January 4, 2005

Respectfully submitted,

16
17 THE LAW OFFICES OF PEASE & de PETRIS

18
19 

20 EDGAR B. PEASE III
21 Attorney for Co-Defendants
22 HENRY VACCARO JR., VINTAGE POP,
23 ELMER KENDRICK AND EL-RICH CORP,
24 HENRY VACCARO, DEEP END ENTERTAINMENT;
25 in Federal Civil Actions
26 Case Nos. CV 04-1946 MRP (Ex) and
27 CV-04-1987 FMC (Ex)
28

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I.

3 INTRODUCTION

4 Movants herein, identified as all Defendants in Federal Civil
5 Actions Case Nos. CV 04-1946 MRP (Ex) and CV-04-1987 FMC (Ex),
6 styled as MICHAEL J. JACKSON, v. HENRY V. VACCARO, dba Deep End
7 Entertainment and dba Vintage Pop, DEEP ENTERTAINMENT, VINTAGE
8 POP, et. al. and consolidated case JANET JACKSON, BLACK DOLL v.
9 HENRY V. VACCARO et. al., including HENRY V. VACCARO, HENRY
10 VACCARO JR., VINTAGE POP, INC., ELMER KENDRICK, EL-RICH CORP, and
11 DEEP END ENTERTAINMENT, JACKSONVAULT.COM and THEJACKSONVAULT.COM,
12 will request that this Court make an Order compelling the District
13 Attorney's Office of the County of Santa Barbara and D.A. Thomas
14 Sneddon, Jr. do each of the following:

15 1) Return of all property taken by the Santa Barbara
16 Sheriffs and the Monmoth County Prosecutor's Office on 3/17/04 and
17 3/04/04 for use in People v. Michael Jackson, Case No. 1133603;

18 2) Provide a complete and updated inventory of the items
19 and documents taken by the Santa Barbara Sheriffs and the Monmoth
20 County Prosecutor's Office 3/05/04 and 3/17/04 for use in People
21 v. Michael Jackson, Case No. 1133603;

22 3) Provide a declaration regarding the whereabouts, if
23 known, of lost or missing items as known by the District
24 Attorney's Office, County of Santa Barbara;

25 4) Provide copies of all investigative materials and
26 reports and/or DNA analysis or any other testing done by the
27 District Attorney's Office, County of Santa Barbara, or its

1 agents, of said items for use by movants herein in Federal Civil
2 Actions Case Nos. CV 04-1946 MRP (Ex) and CV-04-1987 FMC (Ex);

3 5) In the alternative, if the original items are not
4 ordered returned, provide copies of all items, documents and
5 reports and test results taken herein; and

6 6) In the alternative, that Plaintiffs and Defendants in
7 Federal Civil Actions Case Nos. CV 04-1946 MRP (Ex) and CV-04-1987
8 be granted access to all items taken and held by the Office of the
9 Vaccaro Motion for Return of Evidence, Statutes and Case law
10 District Attorney of the County of Santa Barbara for inspection,
11 analysis and/or inventory for use by Movants herein in Federal
12 Civil Actions Case Nos. CV 04-1946 MRP (Ex) and CV-04-1987 FMC
13 (Ex).

14 This request is based on the Orders of the Federal Court
15 related to Michael Jackson and Janet Jackson's Demand for
16 Production of Documents and Things in Federal Civil Actions Case
17 Nos. CV 04-1946 MRP (Ex) and CV-04-1987 FMC (Ex), which requires
18 Movants to provide the identification, location, whereabouts,
19 inventory and the actual "Jackson Memorabilia" to Counsel for
20 Michael Jackson and Janet Jackson.

21 Michael Jackson has now refused to participate in discovery
22 or sit for his deposition based upon his exercising his Fifth
23 Amendment rights against self-incrimination in the Federal
24 actions. (See letter dated January 25, 2004, from Evan Speigal of
25 Lavelly & Singer, attorneys for Michael Jackson therein, which
26 states in pertinent part, "As you may be aware, the criminal
27 action against Michael Jackson is set to commence for trial and
28

1 jury selection on January 31, 2005 . . . During that period of
2 time, Michael Jackson will not participate in discovery and if
3 asked to sit for his deposition, he will assert his Fifth
4 Amendment rights [against self incrimination] related to the
5 subject property forming the basis of the instant civil action."
6 (Paraphrased) (Please SEE Exhibit "J" hereto, a true and correct
7 copy of letter dated January 25, 2004, from Evan Speigal of Lavelly
8 & Singer, attorneys for Michael Jackson).

9 Michael Jackson's refusal to participate or sit for his
10 deposition seriously prejudices Movants herein and requires that
11 Movants receive the relief requested herein. It is ironic that
12 Michael Jackson brings a \$100,000,000 lawsuit against the Movants
13 in the federal action yet refuses to participate in that action.
14 Regardless, the items are related and necessary for a proper
15 defense by these Movants in defense of Michael and Janet Jackson's
16 Federal Civil action.

17
18 1. MOVANTS ARE ENTITLED TO THE ORDER REQUESTED FOR THE
19 RETURN OF PERSONAL PROPERTY IN THE POSSESSION OF DISTRICT
20 ATTORNEY THOMAS SNEDDON PURSUANT TO P.C. 1417.2, ET. SEQ

21 Henry V. Vaccaro and Movants request that the Court order
22 return of the property described herein, in possession of the
23 Santa Barbara District Attorney, pursuant to Cal. Pen. Code
24 Section 1417.2, which provides that the court may order the return
25 of an exhibit to its owner prior to the final determination of the
26 action or proceeding, upon notice and motion if [n]o prejudice
27 will be suffered by either party and [a] full and complete

1 photographic record is made of the exhibits so released.

2 (Cal. Penal Code Section 1417.2); (People v. Lamonte, 61 Cal.App.
3 4th 544, at 549).

4 Furthermore, Movants should be entitled to all property
5 seized from them regardless of whether the property is used as an
6 exhibit or not. The Court of Appeals for the Fourth District of
7 California has held that for purposes of Section 1417.5, which
8 provides for return of seized exhibits after the property is
9 filed, there is no reason to distinguish between seized property
10 used as exhibits and seized property which was not used. (Lamonte,
11 61 Cal.App. 4th, at 549). Additionally, The Court of Appeals for
12 the Second District of California has stated that Cal. Penal Code
13 Section 1417.2 permits the court in the criminal action to
14 exercise its discretion to return the seized property prior to the
15 final determination of the criminal action or proceeding.

16 (Emphasis added) (People v. Cavanna, 214 Cal.App.3d 1054, at 1061)

17 Movant El-Rich Corporation purchased certain Jackson family
18 memorabilia pursuant to a Federal Bankruptcy Court decision
19 ordering a Trustee Sale in Bankruptcy, United States Bankruptcy
20 Court, Central District of California, Case No. SV 99-12461-KL
21 styled as In Re: Joseph Walter Jackson and Katherine Esther
22 Jackson, Jermaine Jackson, and Tariano Adaryll Jackson,
23 (hereinafter "The Bankruptcy Proceeding"). (See Exhibits "C" and
24 "D") attached hereto, true and correct copies of the Notice of
25 Trustees Sale of Estate Property (Exhibit "C") and Order Approving
26 Sale of Estate's Right in Personal Property to El-Rich Corporation
27 (Co-Defendant) dated January 18, 2002 (Exhibit "D") incorporated

herein).

The subject "Jackson Memorabilia" was sold at auction to Co-Defendant El-Rich Corporation in United States Bankruptcy Court, Central District of California, Case No. SV 99-12461-KL styled as Joseph Walter Jackson and Katherine Esther Jackson, Jermaine Jackson, and Tariano Adaryll Jackson, et. al..

After El-Rich Corporation and, subsequently certain other Co-Defendants took possession of this "Jackson Memorabilia", Michael Jackson and Janet Jackson sued me and my Co-Defendants in Case Nos. CV 04-1946 FMC (Ex) and CV 04 1987 FMC (SSx) claiming ownership of that personal property known as the "Jackson Memorabilia".

The "Jackson Memorabilia" previously identified as the personal property of the above referenced debtors including Katherine and Joe Jackson, the parents of Michael Jackson and Janet Jackson, each of whom had claimed the Jackson memorabilia in their bankruptcy schedules as their personal property, was seized and sold at auction by the Trustee in Bankruptcy. There is a direct conflict between the sworn testimony of the parents of Michael and Janet Jackson, Joseph and Katherine Jackson, in their bankruptcy proceeding regarding the "Jackson Memorabilia" and the allegations contained in Michael Jackson's and Janet Jackson's complaint regarding the ownership of the property. Michael Jackson and Janet Jackson are claiming an ownership interest in property that was previously claimed and identified as debtor property in the bankruptcy proceeding.

Despite the baseless, malicious, frivolous and contradictory

1 nature of the two Federal lawsuits against Movants in Case Nos. CV
2 04-1946 FMC (Ex) and CV 04 1987 FMC (SSx), now deemed related and
3 joined, Movants are forced to defend themselves in a \$100,000,000
4 lawsuit which requires responding to discovery requests and court
5 orders to produce for inspection all items contained in the
6 "Jackson Memorabilia", some of which is now in the possession of
7 the District Attorney, Tom Sneddon, in the instant criminal action
8 against Michael Jackson.

9 The discovery in the two Federal cases against Movants
10 requires each Defendant to identify, locate, and produce all items
11 purchased pursuant to the Trustees Sale, as well as, all items
12 seized therefrom in this criminal action, and is required to be in
13 our or our attorney's possession in order to be properly
14 investigated and analyzed, and without which Movants are seriously
15 prejudiced in the civil actions.

16 These items in possession of the District Attorney include
17 the items listed in Exhibits "A" and "B", true and correct copies
18 of which are attached hereto, which include:

19 EXHIBIT "A"

- 20 a) Handwritten Note on Yellow Stickit Note;
21 b) Handwritten Note on Address Book Paper [REDACTED];
22 c) [REDACTED] Name Tags;
23 d) [REDACTED] contacts;
24 e) Neverland Valley Do Not Disturb sign;
25 f) Picture, [REDACTED]

26 / / /

27 / / /

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EXHIBIT "B"

g)

h)

MISSING ITEMS

i) Drawing by Michael Jackson

j) Handwritten Note by Michael Jackson

k) Artistic Rendering of Character drawn and signed
by Michael Jackson

l)

Movant Henry V. Vaccaro was personally present when the Santa
Barbara and Monmoth County representatives took possession of the

1 "Jackson Memorabilia" and he personally signed Exhibit "A" hereto.
2 Additionally, licensed private investigator, Frank Coonis,
3 State of California Licenses Nos. PI 8820 and PI 21147, owning his
4 own investigative services known as Frank Coonis Investigations,
5 Inc., located at 1001 Hermosa Avenue, Suite 202, Hermosa Beach, CA
6 90254, was authorized and appointed on January 13, 1998, by Order
7 of the Hon. William H. Gindin, U.S.B.J of the United States
8 Bankruptcy Court District of New Jersey, Case No. 92-31771 (WHG),
9 Chapter 7, through Special Counsel and to provide Investigative
10 Services in said matter. (Please find attached hereto as Exhibit
11 "K", a true and correct copy of Order Authorizing Retention of
12 Special Counsel and Investigative Services, Frank Coonis
13 Investigations).

14 Frank Coonis, along with agent Matt Garrison, were personally
15 present with the U.S. Marshals when they, with the assistance of a
16 professional locksmith, opened the sealed and locked storage
17 facilities located at 534 Montgomery Ave., Oxnard, CA 93030 and
18 Worldwide Moving and Storage, 1131 Industrial Avenue, Oxnard, CA
19 93030, wherein the "Jackson Memorabilia" was first reviewed,
20 catalogue, inventoried, inspected, photographed, and when taken
21 into the legal possession and custody of Judgment Creditor, HVV
22 Corp, in Case No. 92-31771 (WHG).

23 Having been first to enter the storage facilities and having
24 inspected and inventoried the possessions and items contained
25 therein, Frank Coonis can verify that the pictures attached hereto
26 as exhibits, containing the "Jackson Memorabilia" are an accurate
27 depiction of the contents therein and the manner in which the

1 Jackson property was stored as first found in the storage
2 facilities and kept thereafter.

3 Frank Coonis personally took the pictures in Exhibits "L" and
4 "M", when the property was first located and inventoried in
5 January, 1998, and then replaced as stored.

6 Specifically, the photographs attached as Exhibit "G", "H",
7 "L" and "M" depict the manner in which the Jackson Memorabilia was
8 stored when the storage facilities were first opened.

9 The items in storage were as depicted in the photographs
10 attached hereto and included items, but not limited to, items such
11 as musical memorabilia, gift packaging from "Neverland Ranch",
12 [REDACTED] Membership Kits", personal writings and notes,
13 sketches, artwork and drawings signed by Michael Jackson, [REDACTED]

14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED] Decl. of
19 Coonis)

20 The items in storage and subject to the case, United States
21 Bankruptcy Court District of New Jersey, Case No. 92-31771 (WHG),
22 are the same items, possessions, and memorabilia now in contention
23 and subject to the Preliminary Injunctions in Federal court
24 actions styled as Michael Jackson v. Henry V. Vaccaro, Case No.:
25 CV 04-1946 FMC (Ex) and Black Doll, Inc., Janet Jackson v. Henry
26 V. Vaccaro, et. al. Case No: CV 04 1987 FMC (SSx). (Decl. of
27 Coonis)

28

1 Movant Henry V. Vaccaro was not served with a warrant nor
2 were any of my Co-Defendants in the Federal case and voluntarily
3 provided these items of Jackson memorabilia and personal property
4 in good faith for inspection and testing. Movants were not told
5 how long the items would be in the possession of the District
6 Attorney nor were they told which items were or are to be used in
7 the criminal case, or which items were simply "of interest."

8 Movants did not intend that any item listed in the attached
9 Exhibits "A" and "B", and/or other property taken by the District
10 Attorney which is not listed in Exhibits "A" and "B", would not be
11 returned to them after inspection unless receiving further notice
12 or subpoena, since the "Jackson Memorabilia" is of tremendous
13 personal and pecuniary value and interest to the public and to any
14 owners thereof.

15 Henry V. Vaccaro has written to District Attorney Tom Sneddon
16 regarding this property and his belief is that the only reason for
17 this lawsuit against him and his Co-Defendants is an attempt by
18 Michael Jackson to take property from his Co-Defendants which
19 rightfully belongs to them but more importantly contains
20 embarrassing, if not damaging, evidence which Michael Jackson does
21 not want the public or the People of the State of California to
22 see, inspect, or use against him in his criminal case - and for no
23 other reason since he has no rightful claim to any of the
24 property. (See Exhibit "I" attached hereto, a true and correct
25 copy of letter dated January 13, 2005, and addressed to District
26 Attorney Tom Sneddon, 1112 Santa barbara St., Santa Barbara, CA
27 93101).

1 Movants have received no response to this letter from anyone
2 at the D.A.'s Office, thus, necessitating this Motion. Movants
3 have received no response whatsoever from Thomas Sneddon,
4 necessitating this motion, as well.

5 Originally, in early 2004, Movants were contacted by Tom
6 Sneddon's office after he received information from Diane Dimond
7 of Court TV that there were "various items of potential interest
8 to you (Sneddon)." (Exhibit "I")

9 After Movants turned over the evidence to Tom Sneddon,
10 Michael Jackson began a campaign of intimidation and harassment
11 and filed the federal lawsuit against Movants and others even
12 though he had known that certain Defendants in the federal action
13 had the certain items of memorabilia since 1999, more than five
14 years ago.

15 Michael and Janet Jackson showed no interest in the
16 memorabilia until the criminal action was filed. (Exhibit "I")
17 Michael Jackson sued Movants, in Henry Vaccaro's opinion, to stop
18 access to the paraphernalia knowing full-well exactly what
19 embarrassing and potentially damaging evidence was contained
20 therein. (Exhibit "I")

21 What is most disturbing and of serious concern to Movants in
22 the Federal action is that in addition to the items listed in
23 Exhibits "A" and "B", which included the Handwritten Note on
24 Yellow Stickit Note, the Handwritten Note on Address Book Paper
25 [REDACTED] the [REDACTED] Name Tags; [REDACTED] Club
26 contacts; the Neverland Valley Do Not Disturb sign; the Picture [REDACTED]
27 [REDACTED]
28 [REDACTED]

1 [REDACTED]; The Miami Herald Newspaper, Nov.
 2 2, 1984, based upon information and belief, that Santa Barbara
 3 District Attorney Thomas Sneddon has taken into his possession and
 4 custody additional items which were not listed in the inventory
 5 list but, nevertheless, were taken by him or his office in the
 6 criminal case including [REDACTED]
 7 [REDACTED], and inter alia,
 8 a hand-written letter in Michael Jackson's handwriting from "MJ"

9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED] The original is now missing and believed to be in
 12 the possession of the District Attorney in the instant criminal
 13 case. [REDACTED]

14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 Now, as of January 25, 2005, Michael Jackson has exercised
 18 his rights under the Fifth Amendment to the Constitution of The
 19 United States to remain silent in the civil actions and refuses to
 20 participate in discovery or sit for his deposition which makes the
 21 examination and use of the Jackson Memorabilia in the Federal
 22 cases all the more exigent and necessary. (See Exhibit "J", a true
 23 and correct copy of letter dated January 25, 2005, from attorney
 24 Evan N. Spiegel for Lavelly and Singer Law Corporation, ¶¶ 3-4).

25 Movants are requesting that this Court order that a complete
 26 and updated inventory is prepared and provided to Movants which
 27 will indicate precisely what items were seized and which items

1 remain in the possession, custody and control of the Santa Barbara
2 District Attorney's Office; the location of each item of
3 memorabilia; what testing has been done on the memorabilia; that
4 Movants receive copies of any and all test results related to the
5 memorabilia seized, and most importantly, that all property
6 intended to be used in the criminal action against Michael Jackson
7 be identified; that all property not to be used in the criminal
8 action against Michael Jackson be returned forthwith, and that a
9 date for return of all property be set, either a date certain or
10 upon completion of the Criminal action against Michael Jackson.
11

12 CONCLUSION

13 Therefore, Movants are entitled to an Order for return of the
14 property described herein, in possession of the Santa Barbara
15 District Attorney, pursuant to Cal. Pen. Code Section
16 1417.2, et. seq., and are entitled to all property seized from them
17 regardless of whether the property is used as an exhibit or not.
18 Movants are entitled to all of the relief requested

19 The Court of Appeals for the Fourth District of California has
20 held that for purposes of Section 1417.5, which provides for
21 return of seized exhibits after the property is filed, there is no
22 reason to distinguish between seized property used as exhibits and
23 seized property which was not used. (Lamonte, 61 Cal.App. 4th, at
24 549). Additionally, The Court of Appeals for the Second District
25 of California has stated that Cal. Penal Code Section 1417.2
26 permits the court in the criminal action to exercise its
27 discretion to return the seized property prior to the final
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1 determination of the criminal action or proceeding.

2 mfactacts.com

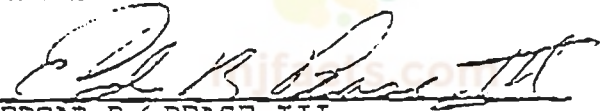
3 mfactacts.com

4 mfactacts.com

5 Date: January 5, 2005

6 Respectfully submitted,

7 THE LAW OFFICES OF PEASE & de PETRIS

8 

9 EDGAR B. PEASE III

10 Attorney for Co-Defendants

11 HENRY VACCARO JR., VINTAGE POP,

12 ELMER KENDRICK AND SL-RICH CORP,

13 HENRY VACCARO, DEEP END ENTERTAINMENT;

14 in Federal Civil Actions

15 Case Nos. CV 04-1946 MRP (Ex) and

16 CV-04-1987 FMC (Ex)

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**DECLARATION OF
FRANK COONIS**

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DECLARATION OF FRANK COONIS

I, FRANK COONIS., do declare that:

1. I make the following statements based on personal knowledge and, if called upon to testify, I could and would testify competently to the statements contained herein.

2. I am a licensed private investigator, State of California Licenses Nos. PI 8820 and PI 21147, owning my own investigative services known as Frank Coonis Investigations, Inc., located at 1001 Hermosa Avenue, Suite 202, Hermosa Beach, CA 90254.

3. I was authorized and appointed on January 13, 1998, by Order of the Hon. William H. Gindin, U.S.B.J of the United States Bankruptcy Court District of New Jersey, Case No. 92-31771 (WHG), Chapter 7, through Special Counsel and to provide Investigative Services in said matter. (Please find attached hereto as Exhibit "K", a true and correct copy of Order Authorizing Retention of Special Counsel and Investigative Services, Frank Coonis Investigations).

4. I, along with my agent Matt Garrison, were personally present with the U.S. Marshals when they and I, with the assistance of a professional locksmith, opened the sealed and locked storage facilities located at 534 Montgomery Ave., Oxnard, CA 93030 and Worldwide Moving and Storage, 1131 Industrial Avenue, Oxnard, CA 93030, wherein the "Jackson Memorabilia" was first reviewed, catalogue, inventoried, inspected, photographed,

1 and when taken into the legal possession and custody of Judgment
2 Creditor, HVV Corp, in Case No. 92-31771 (WHG).

3 5. Having been first to enter the storage facilities and
4 having inspected and inventoried the possessions and items
5 contained therein, I can verify that the pictures attached hereto
6 as Exhibits "G", "H", "L" and "M", containing the "Jackson
7 Memorabilia" are an accurate depiction of the contents therein
8 and the manner in which the Jackson property was stored as first
9 found in the storage facilities and kept thereafter.

10 6. I personally took the picture in Exhibit "L" and "M",
11 when the property was first located and inventoried in January,
12 1999, and then replaced as stored.

13 7. Specifically, the photographs attached as exhibits
14 depict the manner in which the Jackson Memorabilia was stored
15 when the storage facilities were first opened. I would describe
16 the items stored as voluminous, stacked, co-mingled, and
17 organized in some areas and in disarray in other areas.

18 8. The items in storage were as depicted in the
19 photographs attached hereto and included items, but not limited
20 to, items such as musical memorabilia, gift packaging from
21 "Neverland Ranch", [REDACTED] personal
22 writings and notes, sketches, artwork and drawings signed by
23 Michael Jackson, [REDACTED]

24 [REDACTED]
25 [REDACTED]
26 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 9. The items in storage and subject to the case, United
4 States Bankruptcy Court District of New Jersey, Case No. 92-31771
5 (WHG), are the same items, possessions, and memorabilia now in
6 contention and subject to the Preliminary Injunctions in Federal
7 court actions styled as Michael Jackson v. Henry V. Vaccaro, Case
8 No.: CV 04-1946 FMC. (Ex) and Black Doll, Inc., Janet Jackson v.
9 Henry V. Vaccaro, et. al. Case No: CV 04 1987 FMC (SSx).

10
11
12 Executed on this 5th day of January 2005, at Hermosa Beach,
13 California. I declare under penalty of perjury and under the
14 laws of the State of California and the United States that the
15 foregoing is true and correct.

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18 FRANK COONIS
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[REDACTED]
[REDACTED]
9. The items in storage and subject to the case, United States Bankruptcy Court District of New Jersey, Case No. 92-31771 (WEG), are the same items, possessions, and memorabilia now in contention and subject to the Preliminary Injunctions in Federal court actions styled as Michael Jackson v. Henry V. Vaccaro, Case No.: CV 04-1946 FMC (Ex) and Black Doll, Inc., Janet Jackson v. Henry V. Vaccaro, et, al. Case No: CV 04 1987 FMC (SSx).

Executed on this 5th day of January 2005, at Hermosa Beach, California. I declare under penalty of perjury and under the laws of the State of California and the United States that the foregoing is true and correct.


FRANK COONTIS



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**DECLARATION OF
HENRY V. VACCARO**

DECLARATION OF HENRY V. VACCARO

I, HENRY V. VACCARO, do declare that:

1. I am a Defendant in the Federal court actions styled as Michael Jackson v. Henry V. Vaccaro, Case No.: CV 04-1946 FMC (Ex) and Black Doll, Inc., Janet Jackson v. Henry V. Vaccaro, et. al. Case No: CV 04 1987 FMC (SSx). I make the following statements based on personal knowledge and, if called upon to testify, I could and would testify competently to the statements contained herein.

2. I am writing this Declaration in support of my and my Co-Defendants', HENRY VACCARO JR., ELMER KENDIRCK, DEEP END ENTERTAINMENT, VINTAGE POP, INC., and EL-RICH CORP., JACKSONVAULT.COM, and THEJACKSONVAULT.COM's motion for return of personal property currently in the possession of Santa Barbara District Attorney Tom Snedden which was taken by the District Attorney of Santa Barbara (Exhibit "A"), by and through the Monmouth County Prosecutor's Office (Exhibit "B") in or about March, 2004, from my Co-Defendants from storage at warehouse(s) in Asbury Park, NJ, previously stored at 534 Montgomery Ave., Oxnard, CA 93030 and Worldwide Moving and Storage, 1131 Industrial Avenue, Oxnard, CA 93030, as possible evidence in the criminal matter The People of the State of California v. Michael Jackson, et al, Case No. 1133603.

3. My Co-Defendant El-Rich Corporation purchased certain Jackson family memorabilia pursuant to a Federal Bankruptcy Court

1 decision ordering a Trustee Sale in Bankruptcy, United States
2 Bankruptcy Court, Central District of California, Case No. SV 99-
3 12461-KL styled as In Re: Joseph Walter Jackson and Katherine
4 Esther Jackson, Jermaine Jackson, and Tariano Adarvll Jackson,
5 (hereinafter "The Bankruptcy Proceeding"). (See Exhibits "C" and
6 "D") attached hereto, true and correct copies of the Notice of
7 Trustees Sale of Estate Property (Exhibit "C") and Order
8 Approving Sale of Estate's Right in Personal Property to El-Rich
9 Corporation (Co-Defendant) dated January 18, 2002 (Exhibit "D")
10 incorporated herein).

11 4. The subject "Jackson Memorabilia" was sold at auction
12 to Co-Defendant El-Rich Corporation in United States Bankruptcy
13 Court, Central District of California, Case No. SV 99-12461-KL
14 styled as Joseph Walter Jackson and Katherine Esther Jackson,
15 Jermaine Jackson, and Tariano Adarvll Jackson, et. al..

16 5. After El-Rich Corporation and, subsequently certain
17 other Co-Defendants took possession of this "Jackson
18 Memorabilia", Michael Jackson and Janet Jackson sued me and my
19 Co-Defendants in Case Nos. CV 04-1946 FMC (Ex) and CV 04 1987 FMC
20 (SSx) claiming ownership of that personal property known as the
21 "Jackson Memorabilia".

22 6. The "Jackson Memorabilia" previously identified as the
23 personal property of the above referenced debtors including
24 Katherine and Joe Jackson, the parents of Michael Jackson and
25 Janet Jackson, each of whom had claimed the Jackson memorabilia
26 in their bankruptcy schedules as their personal property, was

1 seized and sold at auction by the Trustee in Bankruptcy. There
2 is a direct conflict between the sworn testimony of the parents
3 of Michael and Janet Jackson, Joseph and Katherine Jackson, in
4 their bankruptcy proceeding regarding the "Jackson Memorabilia"
5 and the allegations contained in Michael Jackson's and Janet
6 Jackson's complaint regarding the ownership of the property.
7 Michael Jackson and Janet Jackson are claiming an ownership
8 interest in property that was previously claimed and identified
9 as debtor property in the bankruptcy proceeding.

10 7. Despite the baseless, malicious, frivolous and
11 contradictory nature of the two Federal lawsuits against me and
12 my Co-Defendants in Case Nos. CV 04-1946 FMC (Ex) and CV 04 1987
13 FMC (SSx), now deemed related and joined, I am forced to defend
14 myself in a \$100,000,000 lawsuit which requires responding to
15 discovery requests and court orders to produce for inspection all
16 items contained in the "Jackson Memorabilia", some of which is
17 now in the possession of the District Attorney, Tom Sneddon, in
18 the instant criminal action against Michael Jackson.

19 8. The discovery in the two Federal cases against me and
20 my Co-Defendants requires each Defendant to identify, locate, and
21 produce all items purchased pursuant to the Trustees Sale, as
22 well as, all items seized therefrom in this criminal action, and
23 is required to be in our or our attorney's possession in order to
24 be properly investigated and analyzed, and without which we are
25 seriously prejudiced in the civil actions.

26 / / /

1 9. These items in possession of the District Attorney
2 include the items listed in Exhibits "A" and "B", true and
3 correct copies of which are attached hereto, which include:

4 EXHIBIT "A"

- 5 a) Handwritten Note on Yellow Stickit Note;
6 b) Handwritten Note on Address Book Paper [REDACTED]
7 c) [REDACTED] Name Tags;
8 d) [REDACTED] contacts;
9 e) Neverland Valley Do Not Disturb sign;

- 10 f) Picture, [REDACTED]

11 EXHIBIT "B"

- 12 g) [REDACTED]
13 [REDACTED]
14 h) The Miami Herald Newspaper, Nov. 2, 1984;

15 MISSING ITEMS

- 16 i) Drawing by Michael Jackson [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]

- 20 j) Handwritten Note by Michael Jackson [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]

- 24 k) Artistic Rendering of Character drawn and signed
25 by Michael Jackson [REDACTED]
26 [REDACTED]

1) [REDACTED]

10. I was personally present when the Santa Barbara and Monmoth County representatives took possession of the "Jackson Memorabilia" and I personally signed Exhibit "A" hereto.

11. I was not served with a warrant nor were any of my Co-Defendants in the Federal case and voluntarily provided these items of Jackson memorabilia and personal property in good faith for inspection and testing. I was not told how long they would be in the possession of the District Attorney nor was I told which items were or are to be used in the criminal case, or which items were simply "of interest."

12. I did not intend, nor did my Co-Defendants, that any item listed in the attached Exhibits "A" and "B", and/or other property taken by the District Attorney which is not listed in Exhibits "A" and "B", would not be returned to me or us after inspection unless receiving further notice or subpoena, since the "Jackson Memorabilia" is of tremendous personal and pecuniary value and interest to the public and to any owners thereof.

13. I have written to District Attorney Tom Sneddon regarding this property and my belief is that the only reason for

1 this lawsuit against me and my Co-Defendants is an attempt by
2 Michael Jackson to take property from my Co-Defendants which
3 rightfully belongs to them but more importantly contains
4 embarrassing, if not damaging, evidence which Michael Jackson
5 does not want the public or the People of the State of California
6 to see, inspect, or use against him in his criminal case - and
7 for no other reason since he has no rightful claim to any of the
8 property. (See Exhibit "I" attached hereto, a true and correct
9 copy of my letter dated January 13, 2005, and addressed to
10 District Attorney Tom Sneddon, 1112 Santa Barbara St., Santa
11 Barbara, CA 93101).

12 14. I have received no response whatsoever from the
13 District Attorney, Thomas Sneddon, nor anyone else from the
14 Office of the Santa Barbara District Attorney, necessitating this
15 motion.

16 15. Originally, in early 2004, I was contacted by Tom
17 Sneddon's office after he received information from Diane Dimond
18 of Court TV that there were "various items of potential interest
19 to you (Sneddon)." (Exhibit "I")

20 16. After we turned over the evidence to Tom Sneddon,
21 Michael Jackson began a campaign of intimidation and harassment
22 and filed the federal lawsuit against me and others even though
23 he had known that certain Defendants in the federal action had
24 the memorabilia since 1999, more than five years ago.

25 17. Michael and Janet Jackson showed no interest in the
26 memorabilia until the criminal action was filed. (Exhibit "I")

1 He only sued us, in my opinion, to stop access to the
2 paraphernalia knowing full-well exactly what embarrassing and
3 potentially damaging evidence was contained therein. (Exhibit
4 "I")

5 18. What is most disturbing and of serious concern to me
6 and the other Co-Defendants in the Federal action is that in
7 addition to the items listed in Exhibits "A" and "B", which
8 included the Handwritten Note on Yellow Stickit Note, the
9 Handwritten Note on Address Book Paper [REDACTED]; [REDACTED]
10 [REDACTED] Name Tags; [REDACTED] contacts; the Neverland Valley Do
11 Not Disturb sign; the Picture of Michael Jackson [REDACTED]
12 [REDACTED] The
13 Miami Herald Newspaper, Nov. 2, 1984, I am aware, based upon
14 information and belief, that Santa Barbara District Attorney
15 Thomas Sneddon has taken into his possession and custody
16 additional items which were not listed in the inventory list but,
17 nevertheless, were taken by him or his office in the criminal
18 case including [REDACTED]

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[REDACTED]

[REDACTED]

19. Now, as of January 25, 2005, Michael Jackson has exercised his rights under the Fifth Amendment to the Constitution of The United States to remain silent in the civil actions and refuses to participate in discovery or sit for his deposition which makes the examination and use of the Jackson Memorabilia in the Federal cases all the more exigent and necessary. (See Exhibit "J", a true and correct copy of letter dated January 25, 2005, from attorney Evan N. Spiegel for Lavelly and Singer Law Corporation, ¶¶ 3-4).

20. I am requesting that this Court order that a complete and updated inventory is prepared and provided to me and my Co-Defendants which will indicate precisely what items were seized and which items remain in the possession, custody and control of the Santa Barbara District Attorney's Office; the location of each item of memorabilia; what testing has been done on the memorabilia; that I and my Co-Defendants receive copies of any and all test results related to the memorabilia seized, and most importantly, that all property intended to be used in the criminal action against Michael Jackson be identified; that all property not to be used in the criminal action against Michael Jackson be returned forthwith, and that a date for return of all

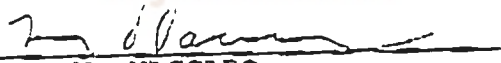
//
/
/

1 property be set, either a date certain or upon completion of the
2 Criminal action against Michael Jackson.

3

4 Executed on this 2nd day of February 2005, at Asbury Park,
5 New Jersey. I declare under penalty of perjury and under the
6 laws of the states of California and New Jersey that the
7 foregoing is true and correct.

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HENRY V. VACCARO

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**DECLARATION OF
EDGAR B. PEASE III**

1 memorabilia pursuant to a Federal Bankruptcy Court decision
2 ordering a Trustee Sale in Bankruptcy, United States Bankruptcy
3 Court, Central District of California, Case No. SV 99-12461-KL
4 styled as In Re: Joseph Walter Jackson and Katherine Esther
5 Jackson, Jermaine Jackson, and Tariano Adaryll Jackson. Attached
6 hereto and incorporated herein as if fully set forth hereat as
7 Exhibits "C" and "D" are true and correct copies of the Notice of
8 Trustees Sale of Estate Property (Exhibit "C") and Order
9 Approving Sale of Estate's Right in Personal Property to El-Rich
10 Corporation (Co-Defendant) dated January 18, 2002 (Exhibit "D")
11 incorporated herein).

12 5. The discovery in the two Federal cases against these
13 moving Defendants requires each Defendant to identify, locate,
14 and produce all items purchased pursuant to the Trustees Sale, as
15 well as, all items seized therefrom in this criminal action, and
16 is required to be in our or our attorney's possession in order to
17 be properly investigated and analyzed, and without which my
18 clients will be seriously prejudiced in the civil actions.

19 6. Attached hereto and incorporated herein as if fully set
20 forth hereat as Exhibits "A" and "B" are true and correct copies
21 of the "Evidence/Property Report" of the Santa Barbara Sheriff
22 dated 3/17/04 and the "Evidence/Property Report" of the Monmouth
23 County Prosecutors Office dated 3/05/04.

24 7. Attached hereto and incorporated herein as if fully set
25 forth hereat as Exhibit "F" is a true and correct copy of [REDACTED]
26 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 8. Attached hereto and incorporated herein as if fully set
5 forth hereat as Exhibit "J" is a true and correct copy of a
6 letter dated January 25, 2005, from attorney Evan N. Spiegel for
7 Lavelly and Singer Law Corporation, ("¶ 3-4), Michael Jackson's
8 attorneys in the federal action which indicates that as of
9 January 25, 2005, Michael Jackson has exercised his rights under
10 the Fifth Amendment to the Constitution of The United States to
11 remain silent in the civil actions and refuses to participate in
12 discovery or sit for his deposition.

13 9. Attached hereto and incorporated herein as if fully set
14 forth hereat as Exhibit "K" is a true and correct copy of Order
15 Authorizing Retention of Special Counsel and Investigative
16 Services, Frank Coonis Investigations

17 10. Attached hereto and incorporated herein as if fully set
18 forth hereat as Exhibit "C" is a true and correct copy of Notice
19 of Sale of Estate Property.

20 11. Attached hereto and incorporated herein as if fully set
21 forth hereat as Exhibit "D" is a true and correct copy of Order
22 Approving Sale of Estate's Rights, Title and Interest in Stored
23 Personal Property.

24 12. Attached hereto and incorporated herein as if fully set
25 forth hereat as Exhibit "D" is a true and correct copy of Order
26 Approving Sale of Estate's Rights, Title and Interest in Stored

1 Personal Property; Notice of Entry of Judgment; Proof of Service.

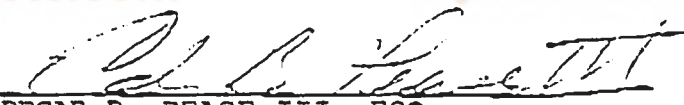
2 13. Attached hereto and incorporated herein as if fully set
3 forth hereat as Exhibit "E" is a true and correct copy of a
4 photograph taken by investigator Frank Coonis of [REDACTED]
5 [REDACTED]

6 14. Attached hereto and incorporated herein as if fully set
7 forth hereat as Exhibit "I" is a true and correct copy of a
8 letter dated January 13, 2005, to Tom Sneddon from Henry V.
9 Vaccaro Sr.

10 15. Attached hereto and incorporated herein as if fully set
11 forth hereat as Exhibit "K" is a true and correct copy of Order
12 Authorizing Retention of Special Counsel and Investigative
13 Services.

14 16. Attached hereto and incorporated herein as if fully set
15 forth hereat as Exhibit "L" and "M" are true and correct copies
16 photographs taken by investigator Frank Coonis depiction adult
17 paraphernalia and lingerie, respectively.

18
19
20 Executed on this 6th day of February, 2005, at Los Angeles,
21 CA. I declare under penalty of perjury and under the laws of the
22 United States and the State of California that the foregoing is
23 true and correct.

24
25 
26 EDGAR B. PEASE III, ESQ.



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EXHIBIT “A”

EVIDENCE/PROPERTY RECEIPT

AGENCY INFORMATION		DEFENDANT INFORMATION	
AGENCY: SANTA BARBARA SHERIFF		NAME:	
ADDRESS: 4434 CALLE REAL		ADDRESS:	
SANTA BARBARA, CA ZIP: 93110		ZIP:	
PHONE NO: (805) 681-4150		PHONE NO:	
INVEST. OFFICER: DET. C BONNER		DOB:	
CHARGES:		SBN:	
AGENCY CASE NO: 03-5070		RACE:	
CRIME DATE:		SEX:	
(OWNER/VICTIM)		CO-DEFENDANTS:	
CONFIDENTIAL		REASON FOR SUBMISSION	
		<input type="checkbox"/> GRAND JURY	
		<input type="checkbox"/> TRIAL	
		<input type="checkbox"/> APPEAL (SENT, DATE:	
		<input type="checkbox"/> OTHER	
INVENTORY			
ITEM	QTY.	DESCRIPTION	
1	1	HANDWRITTEN NOTE ON YELLOW STICK-IT NOTE.	
2	1	HANDWRITTEN NOTE ON ADDRESS BOOK PAGE [REDACTED]	
3	2	[REDACTED] NAME TAGS	
4	3	[REDACTED] CONTRACTS	
5	1	NEVERLAND VALLEY DO NOT DISTURB SIGN	
6	1	[REDACTED]	
<input type="checkbox"/> CHECK HERE IF ADDITIONAL INVENTORY LIST ATTACHED			
ITEM(S)	RELINQUISHED BY	RECEIVED BY	
1,2,3,4,5 & 6	Det. C. Bonner	C. Bonner	3/17/04

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EXHIBIT “B”

EVIDENCE/PROPERTY RECEIPT

AGENCY INFORMATION		DEFENDANT INFORMATION	
AGENCY: <u>Monmouth County Prosecutor's Office</u>		NAME: <u>Scooby Roberi</u>	
ADDRESS: <u>132 A Jerseyville Avenue</u>		ADDRESS:	
<u>Freehold NJ</u> ZIP: <u>07728</u>		ZIP:	
PHONE NO: <u>732 431 7012</u>		PHONE NO:	DOB:
INVEST. OFFICER: <u>PSGT S. Padula #106</u>		SSN:	RACE: SEX:
CHARGES:		CO-DEFENDANTS:	
AGENCY CASE NO.: <u>Invest.</u>			
CRIME DATE:			
(OWNER/VICTIM)		REASON FOR SUBMISSION	
NAME: <u>Confidential</u>		<input type="checkbox"/> GRAND JURY	
ADDRESS:		<input type="checkbox"/> TRIAL	
ZIP:		<input type="checkbox"/> APPEAL (SENT. DATE:	
PHONE NO:		<input type="checkbox"/> OTHER	
INVENTORY			
ITEM	QTY.	DESCRIPTION	
01	01	[REDACTED]	✓
02	01	<u>The Miami Herald Newspaper, November 2, 1984</u>	
<div style="transform: rotate(-30deg);"> <u>SEP 106</u> <u>Monmouth</u> </div>			
() CHECK HERE IF ADDITIONAL INVENTORY LIST ATTACHED			
ITEM(S)	RELINQUISHED BY	RECEIVED BY	
01, 02	<u>[Signature]</u>	<u>PSGT. S. Padula #106</u>	<u>3/5/07</u>

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EXHIBIT “C”

OFFICIAL

16974-323

Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number PETER A. DAVIDSON (State Bar No. 76194) REIN EVANS & SESTANOVICH LLP 1925 Century Park East, Suite 1600 Los Angeles, California 90067 (310) 551-3100 FAX: (310) 551-0238	FOR COURT USE ONLY 01 DEC 10 PM 3:28 CLERK CENTRAL DISTRICT OF CALIFORNIA BY: <i>[Signature]</i>
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA	CASE NO.: SV 99-12461-KL JOINTLY ADMINISTERED [SV 99-12461-KL] [SV 99-11523-KL] [SV 99-12380-KL]
In re: JOSEPH WALTER JACKSON and KATHERINE ESTHER JACKSON, JERMAINE LAJUANE JACKSON, and TARIANO ADARYLL JACKSON, Debtor(s).	

NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: JANUARY 3, 2002	Time: 2:00 P.M.
Location: CTM: 301, U.S. Bankruptcy Court, 21041 Burbank Blvd., Woodland Hills, CA	

 Type of Sale: ☐ Public: ☒ Private: Last date to file objections: 12/20/01

 Description of Property to be Sold: all of the Estate's right, title and interest in personal property stored at 534 Montgomery Ave., Oxnard, CA 93030 and Worldwide Moving & Storage, 1131 Industrial Ave., Oxnard, CA 93032.

 Terms and Conditions of Sale: Sale is "as is", "where is" with no representations or warranties being made by the Trustee. The sale is subject to all liens. There is a purported warehouse's lien on the items at Worldwide Moving & Storage of approximately \$55,000.00.

 Proposed Sale Price: \$25,000.00

 Overbid Procedure (if Any): Minimum bid is \$30,000. In order to qualify to bid, over-bidders must deliver a cashier's check for \$5,000.00 to the Trustee or his counsel prior to the sale.

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Contact Person for Potential Bidders (Include name, address, telephone, fax and/or e-mail address):

PETER A. DAVIDSON
 REIN EVANS & SESTANOVICH LLP
 1925 Century Park East, Suite 1600
 Los Angeles, California 90067
 (310) 551-3100

 Date: December 10, 2001



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EXHIBIT “D”

16974-323

PETER A. DAVIDSON (State Bar No.: 76194)

REIN EVANS & SESTANOVICH, LLP

1925 Century Park East, 16th Floor

Los Angeles, CA 90067

Tel: (310) 551-3100

Fax: (310) 551-0238

Attorneys for Byron Z. Moldo, Chapter 7 Trustee

FILED

JAN 18 2002

CLERK OF SUPERIOR COURT
CENTRAL DISTRICT OF CALIFORNIA
BY: [Signature]

ENTERED

JAN. 18 2002

CLERK, U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
By: [Signature]

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA, SAN FERNANDO VALLEY DIVISION

In re:

JOSEPH WALTER JACKSON AND
KATHERINE ESTHER JACKSON,
JERMAINE LAJUANE JACKSON, and
TARIANO ADARYLL JACKSON,

Debtors.

Case No. SV 99-12461-KL
Chapter 7

Jointly Administered
[SV 99-12461-KL]
[SV 99-11523-KL]
[SV 99-12380-KL]

ORDER APPROVING SALE OF
ESTATES' RIGHT, TITLE AND
INTEREST IN STORED PERSONAL
PROPERTY

Date: January 10, 2002
Time: 2:00 p.m.
Court: 301

The motion of Byron Z. Moldo, Chapter 7 Trustee for Joseph Walter Jackson and Katherine Esther Jackson; Jermaine Lajuane Jackson and Tarianno Adaryll Jackson for an order approving the Trustee's sale of the Estates' right, title and interest in the personal property stored at 534 Montgomery Avenue, Oxnard, California 98030 ("Montgomery Facility") and the personal property stored at Worldwide Moving and Storage, 1131 Industrial Avenue, Oxnard, California 93030 (the "Worldwide Facility") (hereinafter the stored items which are the subject of this motion will be referred to as the "Property") came on for hearing, having

been duly noticed, on January 10, 2002, at 2:00 p.m. in Courtroom 301 of the above entitled Court.

The Court having reviewed the Trustee's Notice of Motion and Motion, the Memorandum of Points and Authorities thereto, the Trustee's Declaration, the Offer to Purchase Personal Property which forms the basis of the Trustee's motion; the Oppositions filed to the Trustee's motion; the Trustee's Reply thereto; having heard argument of counsel thereon, and good cause appearing therefore, the Court finds:

(a) The Court has jurisdiction over the motion pursuant to 28 U.S.C. §157 and 1334, and this matter is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A).

(b) The statutory predicate for the relief sought by the Trustee in his motion are §§105(a), 363(b) and 363(m).

(c) The Trustee has demonstrated good, sufficient and sound business purpose and justification, and compelling circumstances, for the Trustee's motion and the proposed sale of the Estates' right, title and interest in the Property to the proposed buyer.

(d) The terms and conditions of the proposed sale are fair and reasonable.

(e) The buyer is a good faith buyer under 11 U.S.C. §363(m) and, as such, is entitled to all the protections afforded thereby. The Trustee and the buyer are acting at arms length and in good faith within the meaning of 11 U.S.C. §363(m).

(f) As evidenced by the affidavits of service, proper, timely and adequate and sufficient notice of motion has been given.

(g) The granting of the Trustee's motion at this time is in the best interests of the Estates and their creditors.

It is therefore ORDERED:

1. The Trustee's motion is granted, *and only the Estates'*
2. The Trustee's sale of the Estates' right, title and interest in the Property to El-Rich, Corp. for \$25,000.00 is approved.
3. The sale of the Estates' right, title and interest in the personal property to

1 El-Rich, Corp. is on an "as is, where is" basis, with no representations or warranties being
2 made by the Trustee.

3 4. The Trustee authorized to execute such documents and take such other action
4 as he deems appropriate to close and conclude the sale of the Property to the buyer.

5
6 DATED: 1/18/2002

KATHLEEN T. LAX
KATHLEEN T. LAX,
United States Bankruptcy Judge

7 //

8 //

NOTE TO USERS OF THIS FORM:

Physically attach this form as the last page of the proposed Order or Judgment.
Do not file this form as a separate document.

In re JOSEPH WALTER JACKSON AND KATHERINE ESTHER JACKSON, DEBTORS.	CHAPTER 7 CONFIRMATION OF 00-12467-VT
--	--

NOTICE OF ENTRY OF JUDGMENT OR ORDER
AND CERTIFICATE OF MAILING

TO ALL PARTIES IN INTEREST ON THE ATTACHED SERVICE LIST:

1. You are, hereby notified, pursuant to Local Bankruptcy Rule 9021-1(a)(1)(E), that a judgment or order entitled (specify):
ORDER APPROVING SALE OF ESTATES' RIGHT, TITLE AND INTEREST IN STORED PERSONAL PROPERTY

was entered on (specify date): JAN 18 2002

2. I hereby certify that I mailed a copy of this notice and a true copy of the order or judgment to the persons and entities on the attached service list on (specify date):

JAN 18 2002

Dated: JAN 18 2002

JON D. CERETTO
Clerk of the Bankruptcy CourtBy: 5

Deputy Clerk

SERVICE LIST

- 1
2 United States Trustees' Office
21051 Warner Center Lane #115
3 Woodland Hills, CA 91367
4
5 Attorney for Joseph Walter Jackson
Ronald Michelman
6 Michelman & Michelman, Inc.
17071 Ventura Blvd., Suite 206
7 Encino, California 91316
8
9 Attorney for Michael Jackson
Michael Gottfried, Esq.
10 Jeffer, Mangels, Butler & Marmore
2121 Avenue of the Stars, 10th Floor
11 Los Angeles, CA 90067
12 Attorney for Chapter 7 Trustee
Peter A. Davidson, Esq.
13 Roin Evans & Sestanovich LLP
14 1925 Century Park East, Suite 1600
15 Los Angeles, California 90067
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Attorneys of Tariano Jackson, et al.

R. Brian Oxman

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El-Rich Corporation

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Ashbury Park, NJ 07712

Steven P. Fernandez, Esq.

Fernandez & Associates

3540 Wilshire Boulevard, Suite 618

Los Angeles, CA 90010-2350

SERVICE LIST - LIMITED

In re Joseph & Katherine Jackson
Case No.: SV 99-12451-KL

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Los Angeles, California 90012

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Mike Fernandez, President
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Leslie T. Gladstone, Trustee
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Attn: Loraine L. Pedowitz

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Ventura, CA 93003

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Christopher R. Doyle, Esq.
Screen Actors Guild, Inc.
5757 Wilshire Blvd., 8th Floor
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Maureen Jaroscak, Esq.
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[REDACTED]

EXHIBIT “E”



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EXHIBIT “G”



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EXHIBIT “H”



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EXHIBIT “I”

FEB. 1, 2005 4:35PM

Henry V. Vaccaro, Sr.
1001 Second Avenue
Asbury Park, NJ 07712

January 13, 2005

Mr. Tom Sneddon
District Attorney
1112 Santa Barbara Street
Santa Barbara, CA 93101

Re: Michael Jackson prosecution

Dear Mr. Sneddon,

You will perhaps recall that in March 2004, I was contacted by your office after Diane Dimond of Court TV informed you that there were various items of potential interest to you among the contents of a warehouse in Asbury Park NJ. We fully cooperated and, as a result, a number of items relevant to your investigation were picked up by the Monmouth County Prosecutor's office and forwarded to you.

After we turned these items over to you, Michael Jackson (and Janet Jackson) began a campaign of harassment and intimidation against me and others who were involved with certain Jackson Family memorabilia that was legally acquired through a judicial sale. I was personally sued, as were other individuals and entities. We have been forced to defend this baseless, frivolous and malicious prosecution, at great expense. The websites on which certain of these items were posted was illegally shut down after the web hosts were threatened and intimidated by Jackson's attorneys a month before they went into Federal District Court and obtained a Restraining Order - which they only obtained by falsely representing that we were in violation of a bankruptcy court order, when we were not (a sanctionable offense). The actions taken by the Jacksons and their attorneys are in violation of the RICO laws, and we intend to counter sue and seek whatever other remedies are available to us.

Michael and Janet Jackson showed no interest in this memorabilia until child molestation charges were about to be filed against Michael. As far back as 1999, Jackson's attorneys were notified by my attorney, Steve Fernandez, that there were certain [REDACTED] - presumably belonging to Michael Jackson among the contents of a warehouse facility in Oxnard California, which he had seized pursuant to a Warrant of Execution on a judgment obtained by my company, HVV Corp., against the Jacksons. Michael Jackson expressed no interest in claiming ownership of those incriminating items. His attorneys attended the judicial sale of the items in question in 2002, but did not bid, appeal, or otherwise contest the sale. It was not until *after* I cooperated with your office, [REDACTED]

[REDACTED] that I began to be harassed and threatened by Michael's attorneys

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FEB. 1. 2005 4:36PM

VACCARO ENTERPRISES

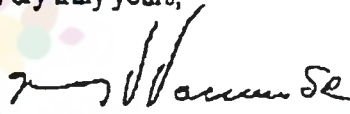
NO. 780 P. 4

Most recently, my attorneys have been approached by Janet Jackson's attorneys in a "settlement overture" which was nothing more than an attempt to gain control of what they believe to be potentially incriminating evidence which they believe to be in our possession. This is potentially witness tampering on her part as well.

As you know, Jackson and his attorneys have a long history of witness intimidation and witness tampering. [REDACTED] a detective who has been in Jackson's employ, and who is now serving a sentence in Federal Prison, has been involved in witness intimidation. [REDACTED] parents recently revealed that they are afraid to testify in the upcoming child molestation case. More people are coming forward describing similar acts of intimidation. Because I am involved in the chain of custody of certain evidence in the Jackson case, I am a witness as well.

We believe that your office should be informed of these events, and our intention to continue to fully cooperate with your efforts.

Very truly yours,


Henry V. Vaccaro, Sr.

Cc: Det. Bonner
Edgar Pease, Esq.
Frank Coonla, PI

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EXHIBIT “J”
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LAVELY & SINGER

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

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LYNDA B. GOLDMAN
MICHAEL D. HOLTZ
WILLIAM J. BRIGGS, II
PAUL M. CORRELL
CHARLES J. HARDEN
PAUL S. CERRA

ALLISON B. HART
PAUL KARL LUKACS
EVAN N. SPIEGEL
YACL E. HOLTkamp
JAMES R. STERNUNG
BRIGIT K. CONNELLY
HENRY L. BELF, III
MARIAN K. GELVACCIO

January 25, 2005

VIA TELECOPIER - (310) 917-1008
AND U.S. MAIL

Richard L. Knickerbocker, Esq.
KNICKERBOCKER LAW
CORPORATION, PC
233 Wilshire Boulevard, Suite 400
Santa Monica, California 90401

VIA TELECOPIER - (213) 383-8089
AND U.S. MAIL

Edgar B. Pease, III, Esq.
PEASE & DE PETRIS
3055 Wilshire Boulevard, 12th Floor
Los Angeles, California 90010

Re: Michael Jackson/Henry Vaccaro (JacksonVault.com)
U.S.D.C. Case No. CV 04-1946-FMC (Ex)
Our File No. 283-406

Dear Messrs. Knickerbocker and Pease:

This letter is written pursuant to Local Rule 37-1 and is in furtherance of my letters dated December 20 and 22, 2004 and January 5, 2005 concerning the deposition of plaintiff Michael Jackson.

Although Mr. Knickerbocker and I had agreed to meet and confer on January 6, 2005 on the issues of Mr. Jackson's deposition and the scheduling of that deposition in light of the Santa Barbara criminal matter, that meet and confer was cancelled at Mr. Knickerbocker's request.

As you may be aware, the criminal action pending against Mr. Jackson, entitled *People v. Jackson*, case number 1133603, Superior Court for the County of Santa Barbara, Santa Maria Branch (the "Criminal Action") is set to commence for trial and jury selection on January 31, 2005. The Criminal Action is anticipated to span four to five months. During that period of time, Mr. Jackson will be unavailable to participate in the preparation of this action, nor to engage in discovery, including his deposition. In addition, if Mr. Jackson were required to appear for a civil deposition, he would be required to assert his Fifth Amendment right to potentially any or all of the potential questions with regard to the subject property forming the basis of the instant civil action, including, but not limited to, any questions relating to items or documents formally in the possession of the defendants in this matter and turned-over by said defendants and/or seized by the prosecution in the Criminal Action.

Richard L. Knickerbocker, Esq.

Edgar B. Pease, III, Esq.

Re: Michael Jackson/Henry Vaccaro, Jackson Vault.com, et al.

January 25, 2005

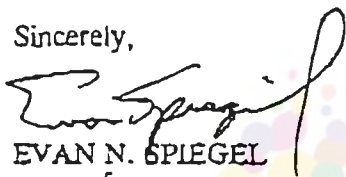
Page 2

In that the Injunction in this action remains in place, and given the fact that your clients have represented in verified responses that they are not in possession of the subject property, defendants would not be prejudiced by a stay or continuance of the civil action until after a final disposition of the Criminal Action. Further, during the period the action is stayed your clients would not be required to incur any costs or attorneys' fees. Accordingly, we request that, on behalf of your clients, you stipulate to an order staying the above referenced action until after a final disposition of the Criminal Action pending against Mr. Jackson and/or, in the alternative, continuing the trial until a reasonable time after a final disposition of the criminal action, and for a protective order as to any deposition of Mr. Jackson, including designation of the time and place, and that the deposition be sealed.

Please let me know before January 28, 2005 at noon whether you will stipulate to an appropriate order as set forth herein. Absent your agreement, we will file a motion with the court seeking a stay and/or continuance and protective order.

Thank you for your attention to this matter.

Sincerely,



EVAN N. SPIEGEL

for

LVELY & SINGER
PROFESSIONAL CORPORATION

ENS/mv

cc: Elizabeth Barrowman Gibson, Esq. (By Telecopier)
Brian G. Wolf, Esq.

203-4061275-EN-KNICKERBOCKER 012505

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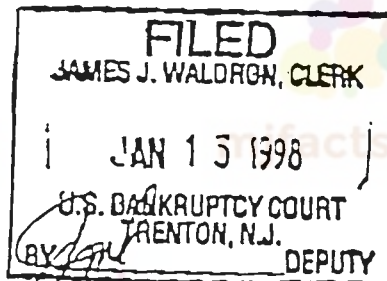
EXHIBIT “K”

ANSELL ZARO GRIMM & AARON
1500 Lawrence Avenue, CN-7807
Ocean, NJ 07712
(732) 922-1000

By: James G. Aaron, Esq. (JA-0729)

Attorneys for Debtors and

Special Counsel for the Chapter 7 Trustee



In the matter of:

HVV CORP.,

Debtor.

HVV CORP.,

Plaintiff

vs.

JOSEPH JACKSON, KATHERINE
JACKSON, et als.,

Defendants.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Case No. 92-31771 (WEG)
Chapter 7

Adv. No. 94-3104 TG

ORDER
AUTHORIZING RETENTION OF
SPECIAL COUNSEL AND
INVESTIGATIVE SERVICES

THIS MATTER having been opened to the Court upon the application of the Debtor, by and through its attorneys, Ansell Zaro Grimm & Aaron, requesting that it be allowed to retain special counsel and investigative services in order to collect on the judgment of February 8, 1996 entered by this Court; and it appearing that notice has been given to the debtor, the office of the United States Trustee, all secured creditors and parties-in-interest, and sufficient cause appearing therefor:

IT IS on this 13th day of January, 1998

ARL
AARON
JAN
15
1998

ORDERED that the Debtor be and hereby is authorized to retain the services of Fernandez & Sainburg, Attorneys, as special counsel in this matter; it is further

ORDERED that the Debtor be and hereby is authorized to retain the services of Frank Coonis Investigations for investigative services; it is further

ORDERED that compensation to both parties, Fernandez & Sainburg and Frank Coonis Investigations, shall be fixed by further Order of this Court.

William H. Gindin

HON. WILLIAM H. GINDIN, U.S.B.J.

ALSO
MAILED
11/11/05
11:11
PM

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PROOF OF SERVICE

1 I Los Angeles, California. I am over the age of 18 years and not a
2 party to the within entitled action. My business address is located at 1545
3 Wilshire Boulevard, Suite 800, Los Angeles, CA 90017.

4 On June 15, 1999, I caused to be served:

5 "HVV Corporation's Notice of Entry of Order Authorizing Retention of
6 Special Counsel and Investigative Services"

7 on all interested parties as follows:

8 SEE ATTACHED SERVICE LIST

9 ☐ by personal service

10 ☐ by telecopier:

11 ☐ by depositing in the U.S. mail, postage thereon fully prepaid, at Los
12 Angeles, CA

13 XX I am readily familiar with the firm's practice of collection and
14 processing correspondence for mailing. Under that practice, it would be
15 deposited with the U.S. Postal Service on that same day with postage
16 thereon fully prepaid at Los Angeles, CA, in the ordinary course of
17 business. I am aware that on motion of the party serve, service is presumed
18 invalid if the postal cancellation date or postage meter date is more than
19 one day after date of deposit for mailing in the affidavit or declaration.

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

22 Executed June 15, 1999, at Los Angeles, California.

23 By: Steven P. Fernandez
24
25
26
27
28

SERVICE LIST

*Office of the U.S. Trustee
221 N. Figueroa, Suite 800
Los Angeles, CA 90012*

*Randy Jackson
C/O: Modern Records
468 North Camden Dr.
Suite 300
Beverly Hills, Ca 90210*

*R. Brian Oxman
Oxman & Jaroschak
14126 East Rosecrans Blvd
Santa Fe Springs, Ca 90670*



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[REDACTED]



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EXHIBIT “L”



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[REDACTED]



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EXHIBIT "M"

PROOF OF SERVICE

STATE OF CALIFORNIA)

) ss.

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 3055 Wilshire Blvd. 12th Floor, Los Angeles, California, 90010-1137.

On February 12, 2005, I caused to be served the foregoing documents described as:

Defendants HENRY VACCARO JR., DEEP END ENTERTAINMENT, VINTAGE POP, INC., and EL-RICH CORP. et. al.'s Motion For Return of Personal Property

on the interested parties in this action by leaving a true and correct copy thereof enclosed in a sealed envelope addressed to:

THOMAS W. SNEDDON, DISTRICT ATTORNEY
District Attorney's Office
1105 Santa Barbara Street
Santa Barbara, CA 93101

THOMAS A. MESEREAU, JR.
Collins Mesereau Reddock & Yu, LLP
1875 Century Park East, 7th Floor
Los Angeles, CA 90067

ALAN A.J. LEGGETT
Jeffer Mangels Butler & Marmaro LLP
1900 Avenue of the Stars, Seventh Fl.
Los Angeles, CA 90067
TEL: (310) 203-8080
FAX: (310) 203-0567

LAVELY & SINGER
BRIAN WOLF
2049 Century Park East
Los Angeles, CA 90067-2906
TEL: (310) 556-3501
FAX: (310) 556-3615

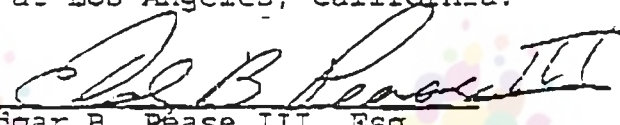
(xx) (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at Los Angeles, California.

() (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to

1 () (BY FACSIMILE AND MAIL) I caused such document to be
transmitted by facsimile to the attention of THOMAS W. SNEDDON,
2 DISTRICT ATTORNEY, District Attorney's Office, 1105 Santa Barbara
Street, Santa Barbara, CA 93101, THOMAS A. MESEREAU, JR.
3 Collins Mesereau Reddock & Yu, LLP, 875 Century Park East, 7th
Floor, Los Angeles, CA 90067, received the attached confirmation
4 of sending, and placed in an envelope with the postage thereon
fully prepaid in the United States mail at Los Angeles, Califor-
5 nia.

6 (X) (STATE) I declare that I am employed in the office of a
member of the bar of this court at whose direction the service
7 was made and the foregoing is true and correct under the laws of
the state of California.
8

9 Executed on February 12, 2005, at Los Angeles, California.

10 
11 Edgar B. Pease III, Esq.
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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 March 9, 2005, 2005, I served a copy of the attached ORDER FOR RELEASE OF REDACTED DOCUMENTS (MOTION BY OWNERS FOR RETURN OF PERSONAL PROPERTY TAKEN BY DISTRICT ATTORNEY, ETC.) 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

EDGAR PEASE, III, ESQ.
PEASE & de PETRIS
3055 WILSHIRE BLVD., 12TH FLOOR
LOS ANGELES, CA 90010-1137

 X FAX

By faxing true copies thereof to the receiving fax numbers of: (805) 456-0699 (Thomas Mesereau, Jr.); (805) 568-2398 (Thomas Sneddon); (213) 383-8089 (Edgar Pease), Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(1), 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.

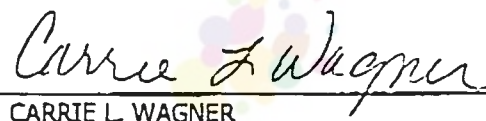
 PERSONAL SERVICE

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 9TH day of MARCH, 2005, at Santa Maria, California.


CARRIE L. WAGNER