

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

<b>Dated &amp; Entered:</b> MARCH 18, 2005	<b>Time:</b> 8:40 A.M.	<b>F</b>	
<b>Honorable RODNEY S. MELVILLE</b>		<b>CC</b>	
<b>Deputy Clerk:</b> L. FREY	<b>Dept:</b> SM TWO	<b>CA</b>	
<b>Deputy Sheriff :</b> L. AVILA		<b>AC</b>	
<b>Court Reporter:</b> M. MC NEIL	<b>Case No.</b> 1133603	<b>SR</b>	
<b>Plaintiff:</b> THE PEOPLE OF THE STATE OF CALIFORNIA		<b>ST</b>	
<b>Vs.</b>		<b>DOC</b>	<b>X</b>
<b>Defendant(s):</b> MICHAEL JOE JACKSON			
<b>District Attorney:</b> THOMAS W. SNEDDON, JR.			
<b>Defense Counsel:</b> THOMAS A. MESEREAU, JR.			
<b>Probation Officer:</b>	<b>Interpreter:</b>		

**NATURE OF PROCEEDINGS:** 1. SCHEDULING OF MOTION FOR ADMISSION OF EVIDENCE OF DEFENDANT'S ALLEGED PRIOR SEXUAL OFFENSES (EV. C. 1108); 2. OBJECTION TO CALLING GRAND JURORS AS WITNESSES; 3. MOTIONS TO QUASH SUBPOENA DUCES TECUM SERVED ON BERNSTEIN, FOX, WHITMAN & CO., HOLTHOUSE CARLIN & VAN TRIGT LLP AND BANK OF AMERICA (CONTINUED FROM MARCH 11, 2005); 4. DEFENDANT'S MOTION RE: ADMISSIBILITY OF EVIDENCE RELATED TO GEORGE LOPEZ; 5. MOTION FOR A MISTRIAL

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

Indictment filed April 21, 2004 charging the Defendant with Count 1: 182 P.C., a Felony, Counts 2 through 5: 288(a) P.C., Felonies, Count 6: 664/288(a) P.C., a Felony, Counts 7 through 10: 222 P.C., Felonies, Special Allegations on Counts 2 through 5: 1192.7(c)(6) P.C. and 1203.066(a)(8) P.C.

**The Court made orders re: Request to Call Grand Jurors as Witnesses; District Attorney Withdrew Motion to Call Grand Jurors as Witnesses; Motions to Quash Subpoenas; Witnesses May be Cross-Examined on Wallet Incident; Date Set for 1108 E.C. Hearing; Motion for Mistrial and Sanctions Denied**

At 8:40 A.M. in the absence of the Jury and the Defendant with Court and Counsel present, hearing proceeded.

Counsel present for the People are Thomas W. Sneddon, Jr., Ronald Zonon and Gordon Auchincloss.

Counsel present for the Defendant are Thomas A. Mesereau, Jr., Robert M. Sanger and Susan Yu.

People's Investigator Steve Robel present.

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Defense Investigator Scott Ross present.

A 977 Waiver is on file and the Defendant's presence is excused for this hearing.

Attorneys Sneddon and Sanger addressed the Court re: Scheduling of Motion for Admission of Evidence of Defendant's Alleged Prior Sexual Offenses (Ev. C. 1108).

The Court ordered that the issue of admissibility of evidence re: prior civil law suits shall be heard at the same time as this motion.

The Court will rule on this motion later in today's hearing.

Attorneys Sanger and Zonen addressed the Court re: Objection to Calling Grand Jurors as Witnesses.

The Court further orders that the names of the Grand Jurors shall be given to Counsel for the Defendant with a protective order; that the Grand Jurors shall not be examined on any issue other than the handling of evidence issue; that the Court shall structure a protective order. (Further orders made later in today's hearing.)

Attorneys Zonen and Sanger addressed the Court re: the Motions to Quash Subpoena Duces Tecum Served on Bernstein, Fox, Whitman & Co., Holthouse Carlin & Van Trigt LLP and Bank of America (continued from March 11, 2005). The Court further orders that said motions shall be denied; that the period of time shall be limited; that the Court is not making any ruling on the admissibility of evidence at trial; that the subpoenaed documents shall not be released to the experts; that absent a stipulation, the subpoenaed documents shall be opened in Court. The Court finds that under 352 the amount of time proving and disproving the defendant's true financial worth outweighs the probative value. The Court will not allow a detail by detail examination of the records; that testimony re: the general state of Defendant's finances during the relevant period may be admitted.

Attorneys Zonen and Sanger further addressed the Court re: interviewing the Grand Jurors. Attorney Zonen suggested to the Court that one of the prosecutors shall be made available as a witness instead of the Grand Jurors re: the handling of evidence. Attorney Sanger advised the Court that their request to interview the Grand Jurors and the Court Reporter still remains. The District Attorney withdrew their motion to call a Grand Juror as a witness. The Court vacates the order permitting interviews with the Grand Jurors.

Attorneys Sanger and Sneddon addressed the Court re: Defendant's Motion re: Admissibility of Evidence Related to George Lopez. The Court orders that the witnesses may be cross-examined re: the wallet incident.

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The Court further orders that the Court will hear arguments on March 28, 2005 at 8:30 A.M. re: the 1108 E.C. issues (2 hour time estimate); that the Jury shall be brought in at 11:30 A.M. on March 28, 2005; that no witnesses shall be called unless the Court requests witnesses to be heard on a different date; that the District Attorney shall make his argument as to why certain witnesses shall be called; that the Defendant shall reply as to why it should be excluded under 352 E.C.

Attorneys Sanger and Sneddon addressed the Court re: the Defendant's Motion for a Mistrial. The Court does not find that the names used by the District Attorney violated the 1108 ruling; also the striking of certain testimony cured the situation. The Court further orders that the Motion for a Mistrial and for Sanctions shall be denied; that until the Court rules on the 1108 hearing, the District Attorney shall advise Counsel for the Defendant of the intention to mention names prior to them being mentioned in Court.

Counsel addressed the Court re: being present for the Juvenile Hall dedication on March 22, 2005. The Court gives Counsel permission to attend the dedication.

The Research Attorney Jed Beebe advised the Court that the list re: the computers was mailed yesterday; that as soon as the Special Master completes his evaluation, the material shall be released to the Judge to make a ruling on said material.

At 11:05 A.M. Court adjourned.

CLERK OF THE SUPERIOR COURT

BY *Lorna Frey*  
LORNA FREY, DEPUTY CLERK

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 April 4, 2005, 2005, I served a copy of the attached MINUTE ORDER addressed as follows:

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

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

FAX

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

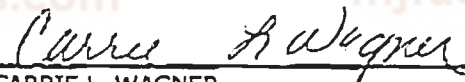
PERSONAL SERVICE

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 4<sup>th</sup> day of APRIL, 2005, at Santa Maria, California.

  
CARRIE L. WAGNER