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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

MAR 23 2004

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

6
7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **IN AND FOR THE COUNTY OF SANTA BARBARA**
9 **SANTA MARIA DIVISION**

FILED UNDER SEAL

10
11 THE PEOPLE OF THE STATE OF CALIFORNIA, }

No. 1133603

12 Plaintiff, }

13 vs.

14 MICHAEL JOE JACKSON,

15 Defendant.

PLAINTIFF'S REQUEST FOR ORDER
TO SHOW CAUSE RE: CONTEMPT
OF COURT'S PROTECTIVE ORDER
BY PERSONS SUBJECT TO THAT
ORDER; DECLARATION OF
THOMAS W. SNEDDON, JR.

16
17
18 **INTRODUCTION**

19 On January 23, 2004 the court issued a protective order in the above-captioned case.
20 Prior to the issuance of this order, Russell Halpern Esq., the attorney for David Arvizo, the
21 victim's father, had become a public figure in this case by making more than ten appearances
22 on a variety of local and nationally-televised news shows including *The Today Show*, *The*
23 *Abrams Report* and *The O'Reilly Factor*. The subject of Mr. Halpern's appearances and the
24 interest the media has shown in broadcasting his remarks have been focused upon one thing –
25 attacking the victim's credibility by vilifying the victim's mother with assertions that she is
26 manipulating her children to make false allegations against the defendant. Mr. Halpern's
27 nationally televised condemnation not only asserted that the victim's mother is unfit,
28 manipulative and a liar, but also included his numerous attempts to vouch for the character

1 and credibility of the defendant. (See Exhibit A, attached – DVD Video News Clips with
2 Transcripts of Halpern Interviews before 1/23/04.)

3 A review of video clips of Mr. Halpern's statements makes plain his newfound
4 celebrity is dependent solely upon the fact that he represents the father of Michael Jackson's
5 accuser. It is also obvious that without this circumstance, the media would have no interest
6 in Mr. Halpern or what he has to say about this case. The court must now evaluate more
7 recent remarks made to the press by Mr. Halpern and his client in light of Mr. Halpern's past
8 demagoguery about the credibility of the victim and the victim's mother

9
10 **I.**

11 **RUSSELL HALPERN AND HIS CLIENT, DAVID ARVIZO ARE IN**
12 **DIRECT VIOLATION OF THE COURT'S PROTECTIVE ORDER**

13 On January 27 2004 the District Attorney notified Russell Halpern by letter and
14 facsimile that he and his client, David Arvizo, are potential witnesses in this case and that
15 they are therefore subject to the court's protective order. (See Exhibit B, attached – Letter
16 and FAX to Russell Halpern from Thomas W. Sneddon, Jr.) A short time after this letter was
17 delivered the District Attorney spoke with Mr. Halpern by telephone and specifically
18 reiterated the contents of the letter. Mr. Sneddon cautioned Mr. Halpern about future
19 contacts with the media and the gravity of any deviation from the court's order. (See
20 Attached Declaration of Thomas W. Sneddon, Jr.)

21 In defiance of the court's order, Mr. Halpern then appeared on three national news
22 programs and made comments to the media dealing with evidence directly related to this
23 case:

24
25 **February 7, 2004**

26 **FOX NEWS (FNC)**

27 **Big Story Weekend Edition**

(See Exhibit C, attached – DVD and Transcript)

28 On February 7, 2004, Russell Halpern appeared on the nationally televised *Fox News*

1 – *Big Story Weekend Edition* program and made remarks concerning his lack of personal
2 knowledge regarding the facts of this case. During this interview, Mr. Halpern expressed his
3 hostility toward the court's order by ascribing "disingenuous" motives to Santa Barbara
4 District Attorney Tom Sneddon in asking for the order. Finally, Mr. Halpern purposely
5 attacked the credibility of a material witness in this case - the victim's mother - by asserting
6 that she suffered from serious mental disorders and claiming she has been treated in a mental
7 hospital.

8 It is worth noting that Mr. Halpern had previously been publicly berated for making
9 similar remarks on the January 14, 2004 edition of the syndicated radio talk show, *The John*
10 *and Ken Show*. (See attached Exhibit D – audio cassette tape and transcript.) During this
11 show Mr. Halpern, who was a call-in guest, admitted that he did not really "know" whether
12 or not his allegations that the victim's mother was in a mental hospital were true. If Mr.
13 Halpern suffered any illusions about the effect such remarks had upon the credibility of
14 witnesses in this case, he was unequivocally disabused of those notions by these two
15 outspoken radio show hosts.

16 Mr. Halpern's statements made on February 7, 2004 are in direct violation of the
17 court's order that witnesses not "comment upon the weight, value, or effect of any evidence
18 as tending to establish guilt or innocence."
19

20 **February 9, 2004**

21 ***The Early Show***

22 **CBS News**

(See Exhibit E, attached – Downloaded Internet Pages from CBS News)

23 On February 9, 2004, Russell Halpern appeared on nationally-televised *The Early*
24 *Show*. The People are not yet in possession of video or audio for this appearance, however,
25 the following quote from Mr. Halpern's interview is published on the official website for
26 CBS News and the Associated Press Newswire:

27 "From what I understand, Mr. Jackson was a very hospitable and
28 very good host and never displayed any conduct that would cause
anybody any concern."

1 This statement, vouching for Mr. Jackson's character and innocence is in direct
2 violation of the court's order that witnesses not "comment upon the weight, value, or effect
3 of any evidence as tending to establish guilt or innocence."

4
5 **February 13, 2004**

6 ***Larry King Live***

7 **Cable News Network**

8 (See Exhibit F, attached – DVD and Transcript)

9 On February 13, 2004, Russell Halpern and his client, David Arvizo, appeared on
10 nationally-televised *Larry King Live*. During this interview, Mr. Halpern and Mr. Arvizo
11 talked about Mr. Arvizo's pending visitation and child custody litigation with the victim's
12 mother. Both Mr. Halpern and Mr. Arvizo also discussed prior criminal convictions suffered
13 by Mr. Arvizo for spousal abuse involving the victim's mother and child abuse involving one
14 of the victim's siblings. Both Mr. Halpern and Mr. Arvizo asserted that the accusations made
15 by the victim's mother that led to these convictions were false. In addition, Mr. Arvizo
16 vouched for the defendant when he expressed that defendant has always been a "real good
17 friend." Mr. Arvizo then expressed his personal doubts about whether the victim in this case
18 has ever even made an accusation of sexual misconduct against the defendant.

19 These remarks deal with the credibility of material witnesses in the present case and
20 are in direct violation of the court's explicit order not to divulge "extrajudicial statements of
21 witnesses" or to "comment upon the weight, value, or effect of any evidence as tending to
22 establish guilt or innocence."

23 CONCLUSION

24 Prior to January 23, 2004, Mr. Halpern's affinity for television cameras could only be
25 described as opportunistic pandering to the media. Now, Mr. Halpern's public performances,
26 both alone and with his client at his side, have become contemptible. Even while
27 acknowledging the court's directive, he has continued to attack the credibility of material
28 witnesses and comment on extrajudicial statements made by them. The People respectfully

1 request that the court issue an order to Russell Halpern and his client, David Arvizo,
2 directing them to show cause why each of them should not be held in contempt. Should the
3 court agree with the People's request, individual orders to show cause for Russell Halpern
4 and David Arvizo with a hearing date scheduled for the next calendared appearance date of
5 April 2, 2004, are attached.

6
7 DATED: March 22, 2004

8 Respectfully submitted,

9 THOMAS W. SNEDDON, JR.
10 DISTRICT ATTORNEY

11
12 BY: 

13 GORDON AUCHINCLOSS
14 Senior Deputy District Attorney

1 **DECLARATION OF THOMAS W. SNEDDON, JR.**

2 I, Thomas W. Sneddon, Jr. do hereby declare:

3 I am the District Attorney of the County of Santa Barbara. I am the lead attorney in
4 the prosecution of *The People of the State of California v. Michael Joe Jackson*, Santa
5 Barbara Superior Court Case No. 1133603.

6 1) I believe that Russell Halpern will be a witness in this case. Mr. Halpern has
7 made numerous remarks to the press indicating he has personal knowledge concerning the
8 facts and evidence in this case. In addition, Mr. Halpern has stated that he saw documentary
9 evidence his client brought to him that indicates the victim's mother in this case had prepared
10 "scripts" for her children during a prior civil litigation involving J.C. Penney's. These
11 remarks appear in Exhibit A attached to this request and have been underlined for emphasis.

12 2) I believe that David Arvizo will be a witness in this case. Mr. Arvizo is the
13 father of the victim in this case and he is a percipient witness to events leading up to the
14 allegations charged in the Complaint.

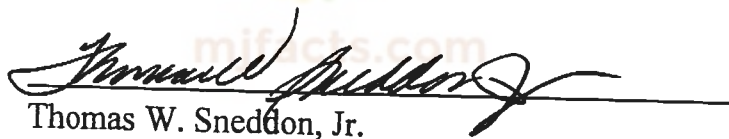
15 3) On January 27, 2004 I notified Henry Russell Halpern of the Court's Protective
16 Order by mailing and faxing to him the letter and attachments a copy of which is attached to
17 this Request and marked as Exhibit B. This exhibit also reflects that the letter and
18 attachments were received by Mr. Halpern's office on January 27, 2004 at 11:34AM.

19 4) On January 29 or 30, 2004 I spoke to Russell Halpern on the phone and
20 confirmed to him the contents and accuracy of the letter and attachments I had sent to him.
21 In that conversation I confirmed to him that both he and his client, David Arvizo are
22 witnesses in this case and I cautioned Mr. Halpern to take the directives of the court very
23 seriously.

24 5) DVD Exhibits A, B and D were obtained by my office from Multivision Inc., a
25 national news clipping company. Exhibit C was downloaded from the official internet site
26 for CBS News on March 10, 2004. Exhibit E was downloaded from the official internet site
27 for the John and Ken Show on March 12, 2004. I am informed and believe that each of these
28 exhibits are accurate representations of publicly published materials.

1 I declare under penalty of perjury that the foregoing is true and correct except for
2 those statements made on information and belief and as to those statements, I believe them to
3 be true.

4 Executed this 22 day of March, 2004, at Santa Barbara, California.

5
6
7 
8 Thomas W. Sneddon, Jr.

1 **PROOF OF SERVICE**

2
3 STATE OF CALIFORNIA
4 COUNTY OF SANTA BARBARA } SS
5

6 I am a citizen of the United States and a resident of the County aforesaid; I am over
7 the age of eighteen years and I am not a party to the within-entitled action. My business
8 address is: District Attorney's Office; Courthouse; 1105 Santa Barbara Street, Santa Barbara,
9 California 93101.

10 On March 22, 2004, I served the within PLAINTIFF'S REQUEST FOR ORDER
11 TO SHOW CAUSE RE: CONTEMPT OF COURT'S PROTECTIVE ORDER BY PERSONS
12 SUBJECT TO THAT ORDER; DECLARATION OF THOMAS W. SNEDDON, JR. on
13 Defendant, by MARK JOHN GERAGOS, and on associated counsel, by faxing a true copy to
14 each counsel **except Robert Sanger, Esq.** at the facsimile number shown with the address of
15 each on the attached Service List, and then by causing to be mailed a true copy (two true
16 copies, to Attorney Geragos), **without attached exhibits**, to each counsel (**except Robert**
17 **Sanger**) at that address. **COPIES OF THE EXHIBITS WILL BE AVAILABLE TO**
18 **THOSE COUNSEL WITH A REASONABLE CHARGE FOR REPRODUCTION**
19 **THEREOF.**

20 On March 22, 2004, I served the within document on **Robert Sanger, Esq.** by
21 personally delivering a true copy thereof **with exhibits** to his office at the address shown on the
22 attached Service List.

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

24 Executed at Santa Barbara, California on this 22nd day of March, 2004.

25
26 
27 Gerald McC. Franklin
28

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1 **LIST OF ATTACHED EXHIBITS**

2
3 **Exhibit A:** DVD Video News Clips with Transcripts - H. Russell Halpern News
4 Interviews before January 23, 2004.

5
6 **Exhibit B:** Letter and FAX to Russell Halpern from Thomas W. Sneddon, Jr.

7
8 **Exhibit C:** DVD Video Clip and Transcript - *FOX NEWS (FNC) Big Story*
9 *Weekend Edition* for February 7, 2004.

10
11 **Exhibit D:** Audio cassette tape and transcript - *The John and Ken Radio Show* for
12 January 14, 2003.

13
14 **Exhibit E:** Downloaded Internet Pages from *CBS News* for February 9, 2004.

15
16 **Exhibit F:** DVD Video Clip and Transcript - *Larry King Live*; Cable News
17 Network for February 13, 2004.

EXHIBIT A

TELEVISION NEWS/ INTERVIEWS 11/2003 to 01/2004

TRANSCRIPTS (Relevant Portions)

NOTES:

*Direct Quotes of Russell Halpern in **BOLD**.

* Portions of quotes in **BOLD underlined** indicate claims of personal knowledge by Russell Halpern.

1. NBC 11/20/03 11:11 PM CHANNEL 4 NEWS (LA)

[Skipped portion about "bad blood" w/ Sneddon]

TV: ...The father's attorney said either the mother encouraged her 12 year old son to stay at Jackson's home or

RH: **She's encouraging the child to make false accusations, either way it makes her an unfit mother.**

TV: so perhaps there isn't just one undercurrent...

2. KCBS 11/21/03 5:11 PM CBS 2 NEWS AT 5 (LA)

TV: ...The father of the alleged victim says Jackson met his son while the boy was being treated for cancer.

1
2 TV2: ... The attorney says the father doubts that his son was molested by Michael Jackson partly
3 because the father alleges that the mother has urged her 3 children to lie in court cases in the past.
4

5 TV: Attorney Russell Halpern says he and his partner represented the father of Michael
6 Jackson's 12 year old accuser in spousal and divorce cases . Halpern called the father
7 Wednesday when he realized his former client's son is the boy whose allegations of child
8 molestation were about to lead to J's arrest.
9

10 RH: He also is very cognizant of the fact that his children have been manipulated by
11 their mother on prior occasions and have hadand their mother has had them say things
12 not only about him but in a prior civil action make statements in depositions that were not
13 true in order to obtain money. (sic)
14

15 TV: H said the father often bragged about the family's ties to the pop star.
16

17 RH: When I spoke to him last he was very clear on the fact that he didn't believe that
18 MICHAEL JACKSON was of the character to molest children. He didn't believe that he
19 was a pedophile.
20

21 TV: ...The father lost custody of the 3 children in the divorce case and has not spoken to the
22 boy in a year
23

24 RH: ...left a message with his family. Now he called me back and I told him, I said gee, you
25 know what's happening with Jackson you may be able to use in [ahh] motion to [ahh]
26 modify the [ahhh umm] child custody order and he was very interested in that and ...he
27 said look into it and see what we can do.
28

1 TV: The father's now retained him to reopen the custody case H things J's attorney Mark
2 Geragos might be interested as the focus would be on the mother's alleged behavior patterns.

3
4 RH: I would think they would be really interested to find out if the woman has a modus
5 operandi of controlling her children and getting her children to lie and [ahh] anything they
6 can get on that they should seek out immediately. So I would think that they would be real
7 interested in that.

8
9 TV: He said the father also is upset that his child was allowed to sleep at J's home.

10
11 RH: Now I talked to my client about that and that really bothered him. He likes Mr.
12 Jackson, he doesn't think Mr. Jackson is a pedophile - his impression of him - but as he
13 said to me, he said I wouldn't let my child sleep at any adult male's home or any adult's
14 house without supervision.

15
16
17
18 **3. WAVE 11/22/03 9:38AM (Louisville)**

19
20 No direct quotes - PARAPHRASE BY NEWSCASTER

21
22 TV: The father of the 12 year old boy in Michael Jackson's molestation accusation says he's not
23 even sure the acts, the... incident happened. The father's attorney RUSSELL HALPERN talked
24 to the media on behalf of his client. Halpern says they've not been able to get information about
25 the case but they may decide to file for a change of custody regardless of the high profile trial.

26
27 Halpern also said the couple went through some (sic) very bad divorce a few of years ago and
28 that the mother made charges of abuse against the father ...that were later found to be false.

1 **4. NBC 11/23/03 6:07 AM TODAY SHOW (Sunday)**

2 [Introduction]

3
4 TV: As the self proclaimed king of pop faces charges of child molestation the attorney for the
5 father is speaking out.... **RUSSELL HALPERN** is a criminal defense lawyer in California
6 representing the boy's father. Mr. Halpern good morning to you.

7
8 RH: **Good Morning.**

9
10 TV: Let me begin. I think we need to make this clear - your client does not have custody of his
11 children, and in fact he hasn't seen his son in some months but he is blaming [ahh] the boy's
12 mother for the alleged incident, is that correct ?

13
14 RH: **Ahh, it's partially correct. Hasn't seen his child in over a year because of a court**
15 **order and ahh he is Not blaming anybody at this moment. He is ahh sort of in a state of**
16 **confusion. He's upset by the charges, he's upset by things he learned about his son**
17 **spending the evening with an adult male without supervision. But as far as blaming his**
18 **wife, ahh he hasn't said that at all.**

19
20 TV: **What does he think of his son's relationship with MICHAEL JACKSON ?**

21
22 RH: **Well, [Lynn] my client had contact with MICHAEL JACKSON a few years ago.**
23 **He considered MICHAEL JACKSON a family friend and he was ahh happy with the**
24 **relationship. He thought MICHAEL JACKSON was a good person. He has recently told**
25 **me that he doesn't think MICHAEL JACKSON has the character of a pedophile and ahh**
26 **like everybody else, shocked by these charges.**

1 TV: So, does he believe his son or does he think perhaps his son may be lying. And if so, what
2 would his motivation be ?

3
4 RH: Well he doesn't know exactly what to think at this time. He knows that his ex-wife
5 is very manipulative. He knows his ex-wife is very controlling and very deceitful. In fact
6 my experience with her during the pendency of his misdemeanor criminal actions a couple
7 of years ago convinced me that she was what he described her as.

8
9
10 TV: Alright, well let me give the other side to that perhaps – lets look at your client's past
11 record which includes a Restraining Order by the Los Angeles County Court, in the divorce he
12 lost custody of his children, his wife wrote in the divorce papers quote that "Instances of
13 violence in our marriage were [a]daily occurrence, however I was always afraid to tell anyone"
14 ahh – he pled guilty to ahh a charge of child abuse -

15
16
17 RH: To begin with, he pled no contest and that was ahh pursuant to what we calla People
18 v. West plea, that means that it was pursuant to a plea bargain and that was at my advice –
19 he had protested his innocence during the pendency of that action and I had ahh advised
20 him that it was in his best interest to enter a plea in order to avoid the ahh chance that he
21 could be found guilty by a jury and then sentenced to jail. So it's not true that he admitted
22 to doing any acts of violence toward his wife or his children, in fact the opposite is true.

23
24 TV: Well, let ask you – he knew, as you mentioned earlier, he knew, he was friends with
25 MICHAEL JACKSON he knew that his son was spending time there – was he ever concerned
26 about it ?

1 RH: Not during the time that he was involved in it – I have spoken with members of his
2 family recently and they said that any time that the son was in Michael Jackson's presence
3 at his ranch or any other place, my client was present. What he is concerned about he's
4 said to me just recently was that he would not [have] allowed his son to spend the evening
5 with any adult male by himself and he is very concerned that his ex-wife after they had a
6 divorce ahh was ahh so permissive to allow a child to go over to some adult's house -- not to
7 visit other children but to spend the evening with another adult.

8
9 TV: Now, is your client planning to re-open his custody fight or begin again his custody fight
10 based on these charges ?

11
12 RH: He and I have been in discussions about that – I'm advising him to do just that. I
13 think that he has a very good opportunity to either regain custody or to place the children
14 in an atmosphere that is much safer and healthier for them.

15
16 TV: Mr. H thank you for being with us this morning.

17
18 RH: Thank you very much for having me.

19
20
21 5. FNC Fox News Channel 11/25/03 6:07AM (The O'Reilly Factor)

22 DUPLICATE ON DISC 2

23
24 TV: ... The family accusing him has had some run-ins with the law including bizarre death
25 threats....

26
27 Authorities have new leads and possibly new victims.

1 TV: Inside the family of Michael Jackson's accuser

2 Sources close to J's defense team say they have taped and written statements from the 12 year-
3 old boy and his mother saying J never acted inappropriately. But what does the accuser's father
4 have to say about that – and the bizarre goings on within that family unit. Joining us from Los
5 Angeles is the attorney for the father of the accuser RUSSELL HALPERN – Counselor, thanks
6 for being with us.

7
8 RH: Ahh, thank you for having me.

9
10 TV: Would you first of all tell us about the relationship between your client and MICHAEL
11 JACKSON – the extent of it.

12
13 RH: Well, my client feels, or that he's like a friend of MICHAEL JACKSON and I
14 believe he became friends with MICHAEL JACKSON through his son when his son was
15 sick with cancer – um, Mr. Jackson visited his son at the hospital, I think it was probably
16 one of these Make-a-Wish things and became friends with both my client and his then wife.

17
18 TV: Why is it that your client does not believe these charges against MICHAEL JACKSON ?

19
20 RH: Well, I think I have been misquoted. When I spoke with my client, his reaction was
21 that it was difficult to believe much the same way that if a person were to accuse a good
22 friend or an uncle of doing these type of things, your first reaction or the reaction of
23 anybody would be disbelief or hard to believe it -- and that's because he felt that he was a
24 friends (sic) with MICHAEL JACKSONfeels that he knows Mr. Jackson and he's told
25 me that he doesn't believe that MICHAEL JACKSON has the character of a pedophile.

1 TV: So, he's not drawing a conclusion then, in other words -- if he believes that J was a friend
2 and was not capable of this -- Ah, but yet he still criticizes his former wife for letting the boy stay
3 there -- could you explain that ?

4
5 RH: Yes I could. He, when I first spoke with him a few days ago, his feeling was this, he
6 would not have allowed his son to spend the night unsupervised with any adult male -- Not
7 aside a (sic) Mr. Jackson anybody, maybe as the grandparents -- but to have a friend say to
8 him, ahh I want to spend the night with your son -- he would not allow that.

9
10 TV: I gotcha.

11
12 RH: He can't understand why his ex-wife would have allowed that.

13
14 TV: Does he think that his son is lying -- He says that he was molested -- ahh -- the father says
15 he doesn't really know, Does he think his son is making this up ? What would lead him to think
16 the son was creating this ?

17
18 RH: Well, he has not expressed an opinion to one way or the other as to Whether his son
19 is lying or not -- he has expressed -- and I also have formed the opinion that his wife or ex-
20 wife better said, has the capability and potential to do such a thing. Not that she did it but
21 that she demonstrated in the past -- that she is capable of her children.

22
23 TV: Tell us what you mean by that -- I know her credibility is at stake -- apparently you have
24 actually seen some scripts that she's prepared for her children to come out with false stories or
25 something -- Elaborate on that --

26
27 RH: Well, when I was representing my client back in 2001 and 2002 on a couple
28 misdemeanor charges in which she had accused him of assaulting her and then there was

1 also some accusations of child abuse, he had told me and other people had told me that she
2 had made these ahh stories up and she was very controlling of her children. I asked him
3 for some proof of that and he brought to me scripts that she had prepared for the kids
4 when they had a civil suit a year or so earlier in which she had actually written out for
5 about four or five pages questions and answers and I was told that she spent hours
6 prompting the children on how to answer questions. She was extremely controlling – the
7 children were much in her control... almost as she had a svengali (sic) type of ahh control
8 over the kids.

9
10 TV: She was, like a mother. I mean in other words, I mean she – and it wouldn't be unusual
11 for a mother to say to the kids – you just remember what dad did. But let's talk about your client
12 for a little bit – and who he is – because he [has] received, um – 2 probationary sentences, one
13 for spousal abuse and the other one for ahh for some sort of cruelty to his daughter. Now, how
14 can we put any faith at all in what he has to say, if you know, he's been in a court of law twice
15 on.. some really nasty things.....

16
17 RH: Well both those instances grew out of the same action – it's a little complicated to
18 explain but they were both related to one set of – facts and during the pendency of that
19 action he had continuously protested his innocence – In fact we had spoken to a number
20 of witnesses – that would have supported his ahh innocence – however, in California we
21 allow defendants to take advantage of what we call plea bargains in which they do not
22 admit that they committed any crime but in order to avoid the very – uhh the consequences
23 that could occur if you go to trial ...

24
25 TV: Right -- you could lose, but Mr. H, I mean there's been a statement that he had his
26 daughter in the car and threatened the entire family. Are you saying that didn't happen ?
27
28

1 RH: In fact, I'm glad you brought that up – We had what is called an *in camera* hearing
2 with the judge, prosecutor and the daughter out of the presence of the mother – in that
3 hearing in the judge's chambers -- the daughter said that ...that did not occur in the
4 manner that was reported by her when she was with the mother – in fact she said that the
5 father did not threaten the mother.....

6
7 TV: Is this a custody fight now, is the father – your client going to use all these troubles to try
8 to get his kids back, is that what this is really all about ?

9
10 RH: No, its not, in fact, what occurred is – a few days ago when I heard these reports, it
11 reminded me of the case I had with my client and I called him and he called me back – and
12 I suggested to him that he should – now try to reopen the case – he was interested...

13
14 TV: Well, I'll tell ya....

15
16 RH: Let me finish. At the present time though, he doesn't know what to do, he isn't
17 talking to anybody – he's very upset, he wants to be left alone, he wants time to think about
18 it, it's not his idea.... Or ...his seeking..

19
20 TV: I've got it... We've gotta run... I want to thank you....

21
22 RH: "Sure."

23
24
25
26 6. MSNBC 11/25/03 [The Abrams Report] 6:11 PM

27
28 TV: Attorney for And explains why he may be a witness for the defense ...

1
2 [Geragos speech]

3
4 TV: ...Court papers recently uncovered show a turbulent upbringing for the boy accusing
5 MICHAEL JACKSON of sexual assault. And the boy's father says he could be called as a
6 potential witness in the case not on his son's behalf but for J himself. ... we're going to talk to
7 the attorney for the father of the accuser....

8
9 TV2: R, thanks so much for joining us your client has said he doesn't think J is a pedophile –
10 On what does he base that opinion ?

11
12 RH: Well, he told me that uhh MICHAEL JACKSON is a friend of his, he's seen him on
13 a number of occasions – had visited with him at this ranch, had discussion with him and he
14 feels that he didn't display any uhh characteristics of a pedophile. That was uhh, the last
15 think he said to me about him.

16
17 TV: But then he came back and said he thinks that his ex-wife, the boy's mother – endangered
18 the child's safety by allowing these unsupervised sleep-overs – It seems like he's saying two
19 different things...

20
21 RH: Well, first of all, he didn't exactly say that – I think those quotes are taken from
22 myself – what he did say to me was that he would not have allowed his child to spend an
23 evening in any adult's house – apart from even MICHAEL JACKSON – without adult
24 supervision with another person there – he just didn't think that was right – I agree with
25 him, it was reckless behavior..

26
27 TV: Is it fair to say that your client and his ex-wife, the mother of this child have had, uhh a
28 pretty intense relationship post-marriage -- Fight over the children, custody, blaming him for

1 threatening her – all sorts of seeming physical violence between the two --- Is this becoming
2 some kind of a vendetta between two ex-spouses ?

3
4 RH: No, its not – he, my client has suffered for the last 3 years – She had falsely accused
5 him of assaulting her – and also encouraged one of her children to make up another story
6 that he had threatened to kill her --- That was in court for about 6 months and during that
7 time it was determined that the threats were false and that there was indication that the
8 mother had made that up – Right now my client just wishes to crawl into a hole and not be
9 bothered by any of this and I ---

10
11 TV: Let me just ask you about one other situation – I think defense counsel might be
12 interested in – Mark Geragos – apparently there was a report on the Daily News – the New York
13 Daily News – that the boy had been....umm. coached by his father to shoplift and had been
14 caught in a parking lot with his parents.

15
16 A big bust up with the security guards...What was all that about ?

17
18 RH: Well, to begin with, that's the first time I heard that the father had been accused of
19 coaching the son to shoplift – I think what the truth of that is -- that the mother and I
20 don't know if the boy was with her – but some of her children were with her – when she
21 was stopped and accused of shoplifting by security guards and then she claimed that they
22 assaulted her. She sued the store guards in the store and what that was about is that later
23 when I was preparing for his defense, we were given a ahh, memo that she had written
24 where she had dictated to her children what they should say – when they were questioned
25 by the attorneys in a deposition. She actually wrote out the questions and answers. We got
26 that in order to show that she has control over her kids and that she can – uhh, get them to
27 say things that she wants them to say..

1 TV: Have you had that conversation with Mark Geragos and related that information ?

2
3 RH: As of today's date, No I haven't but I imagine he's listening to this or will listen to it
4 in the future.

5
6 TV: Ok, RUSSELL HALPERN , thank you very much for joining us..

7
8
9 **NEXT ON DISC BUT NOT INCLUDED IN THE INDEX:**

10 **FOX NEWS 10:00 (Same as # 7 KTTV ?)**

11
12 TV: Michael Jackson's accuser turns 14 tomorrow but tonight, in a story you'll see only on
13 FOX 11, the boy's father takes a surprising stand – [introduction of TV2...]

14
15 TV2: Well, the boy's father and mother have had a stormy, troubled relationship it's resulted in
16 numerous court cases..... and now.... The allegations about MICHAEL JACKSON. Through it
17 all the father has said he just wants what is best for his son and he thought that MICHAEL
18 JACKSON was part of that ...[music]..

19
20 The father of the boy accusing MICHAEL JACKSON of abuse, through his attorney Coming
21 to the pop star's defense.

22
23 RH: Its one of disbelief or surprise and disbelief

24
25 TV: that the dad's reaction to the molestation accusation and the arrest of MICHAEL
26 JACKSON as described by attorney RUSSELL HALPERN .

1 TV: So why would the father defend J, Well, if you read through literally stacks of
2 documents – that detail years of battling between the father and his now ex-wife, you get some
3 insight into this family. There was a bankruptcy, a lawsuit over a shoplifting arrest, the boy, the
4 alleged thief – settled for 6 figures – A divorce, custody and child support fight – and criminal
5 charges against the father --- the wife accusing him of abusing her and their 3 kids. He pled no
6 contest to one count --- still insists it was untrue ...

7
8 And now, the father's attorney says the dad thinks the J case might be another example of his ex-
9 wife's alleged manipulation. In one court document it says he blames most of his family's
10 problems on his wife's mental condition.

11
12 **RH: He is taken aback by the accusations, he he (sic) considered MICHAEL JACKSON a**
13 **friend – he had spoken to MICHAEL JACKSON on numerous occasions and ...that**
14 **MICHAEL JACKSON did not have the character of a pedophile...**

15
16 TV: Santa Barbara District Attorney Tom Sneddon won't say how much of this background
17 he was aware of before arresting Jackson, but he has said he has a credible, cooperative witness.
18 As for the father of the accuser – attorney H says the dad never dreamed he'd be caught up in a
19 super star scandal - he's just trying to see his 3 kids – which now by court order he cannot ---
20 until he completes parenting classes.

21
22 TV: Now the attorney for the father was in court today for a progress report on those
23 parenting classes. The father was not there, he has stayed out of sight since the J allegations
24 broke as has the boy's mother and we are choosing not to name them [...] because we haven't
25 named the young boy either.

1 **8. MSNBC 12/3/03 at 10:00 COUNTDOWN** Channel 5

2
3 TV: Another twist in the MICHAEL JACKSON case The father of the alleged victim is
4 now defending J saying the pop star does not have the character of a pedophile – Countdown's
5 Keith... spoke with the father's attorney who gave some insight into the boy's parents and the
6 boy's health.

7
8 RH: He believes she has the capability of coaching her child into making false
9 accusations. He also knows that she is motivated a lot by money and she's also very erratic
10 individual, easily angered has a some mental issues that may cause her to act irrationally.
11 So what the motive is, if in fact that's what is occurring and he's not saying that that has
12 happened, would possibly be money or just some emotional problem that she might have.

13
14 TV: Doubtless your client has heard that quote that I read earlier attributed to his son by the
15 young New Jersey man Ahmed Alatab "He told me he hates his parents a lot" does the boy's
16 father have a reaction to that statement ?

17
18 RH: Well I don't know if my client has ever actually heard that quote – when I heard it
19 now and about an hour ago it reminded me of my own daughters – who are now both
20 grown – and I asked them today – you still hate me ? because that is somewhat common to
21 hate their parents from time to time so I don't know in what context that was said ... my
22 client - I don't know if he even heard it.

23
24 But I have spoken to my client about his relationship to his son – he said that he was very
25 close to his son and that his son had at times, when he was with the mother and separated
26 from my client, he would wish he could come back and live with the father that he did
27 not like living with the mother.

1 TV: Finally sir, we have had all manner of updates on the health of your client's son from the
2 owner of a comedy store in southern California --- What do you know about how well the boy is
3 right now ?

4
5 RH: OK, I cannot tell you what my source is, but I can tell you that I have a very reliable
6 source from a individual who would know and have reason to know about the health of the
7 young man. And that source has told me that the young man, his condition has not
8 changed from 6 months ago. He is not near death, he is not in need of any kidney
9 transplant that he is as healthy as he was 6 months ago and I am sure that source is
10 probably referring to the time that he was seen on television with MICHAEL JACKSON --
11 - And so these reports from this person who owns the comedy factory --- I don't know
12 where he got his information. My source says that he spoke with MICHAEL JACKSON,
13 excuse me, the young man yesterday -- and said that he appeared to be fine and there was
14 no reason to worry.

15
16
17 TV: That was Keith O... last night and coming up tonight -- He's fighting for the kind of pop
18 while defending Scott Peterson as well -- Is super lawyer Mark Geragos stretched to thin to give
19 both men the best defense ??

20
21
22
23
24 9. KCBS 12/10/03 CBS NEWS at 4

25
26 TV: Now the latest on the MICHAEL JACKSON case.....CBS news has learned that as the
27 controversy mushroomed, the entertainer hired his own investigators to interview the boy who
28

1 alleged he was molested and to interview his family. Now the boy's father is demanding to see
2 LA County Child Welfare records which claim the sex abuse charges were unfounded.

3
4 CBS News 2 has all the latest....

5
6 TV2: J, very much aware of the CS investigation back in February. It is during this time he
7 hires Mark Geragos as his attorney and had his investigator interview the family. The father of
8 the alleged victim still not sure who is telling the truth is barred from contact with his children
9 and his attorney saying today it is clear that the CS investigation is a plus for the defense.

10
11 RH: **Well, obviously it's not good for the prosecution it's good for Mr. Jackson**

12
13 TV: CS investigated MICHAEL JACKSON for sex abuse with the boy who is the center of
14 the Santa Barbara DA's case. The result – the charges were unfounded. I had his own
15 investigator interview the mother and the children at roughly the same time with the same results.
16 The D.A. will have to explain that.

17
18 RH: **In fact they have met that problemby stating simply that the mother learned of**
19 **the molestation after the interviews with CS and after the interviews with the private**
20 **investigators.**

21
22 TV: The father of the boy now wants to see all the reports on the CS investigation

23
24 RH: **My client has the right actually to see the raw notes and what was said because this**
25 **involves very a serious accusation concerning his child and he's very much concerned.**

26
27 TV: The attorney feels there's a chance the children were told what to say.
28

1 RH: If Mr. Jackson has been right – and that’s a big if – and the mother is the person
2 who is behind these charges, then it would strongly bring into question whether she should
3 be in control at all over her children.

4
5 TV: The memo strikes as the heart of the case. The DA saying he was aware of the CS
6 investigation, says it’s not significant – But can it raise questions of credibility with the mother
7 and the boy ?

8
9 RH: There’s plenty of reason to be – not feel comfortable beyond a reasonable doubt
10 when you have a witness - 2 – at least twice, once to independent investigators for the
11 defense and again to independent investigators from the state – saying emphatically
12 nothing happened between myself and Mr. J....

13
14 TV: ...That’s called reasonable doubt....

15
16 RH: I believe it would be.

17
18 TV: There is also this today – a psychologist who had been seeing the boy went to Los
19 Angeles county CS in June of this year – saying the boy HAD been abused by J, They, the CS
20 refused to take any actions whatsoever --- so the matter was taken to Santa Barbara. Formal
21 charges still expected next week.

22
23
24
25 10. A&E 1/5/04 8:54 PM “The MICHAEL JACKSON Case”

26
27 In November 2003 ---
28

1 Court documents show that the boy comes from a shattered home ...his father convicted of
2 assaulting his mother....and even charged but not convicted of harming the boy and the father's
3 attorney says that his client is critical of the boy's mother and believes she could have
4 encouraged the boy to invent the entire J affair.

5
6 RH: **I do know my client's wife. I would not be surprised if she were the one behind this.**

7
8 TV: You could not have this any better for the defense than that – I mean this is exactly what
9 you're going to be saying about a young witness that they're easily manipulated into saying
10 things that a parent wants...

11
12 COMMENTATOR TV2: Life happens, and we don't take any of our victims or witnesses
13 from central casting – we take them as we find them – the fact that there may be a spousal abuse
14 charge or a child abuse charge or orders of protection in this family doesn't necessarily take away
15 from the credibility of the child victim.

16
17 Even without these credibility issues –
18
19
20
21

22 **11. KNBC 1/21/04 5:40 PM Channel 4 News (LA)**

23
24 TV: Now to the MICHAEL JACKSON case and tonight the health of his alleged molestation
25 victim is reportedly getting worse.... [introductions of TV2...]
26
27
28

1 TV2: With reports surfacing that Michael Jackson's teenage accuser, is very sick, the boy's
2 father, who is separated from the family by a restraining order will now be asking for some kind
3 of custody of the teen.

4
5 While Michael Jackson's pictures were being beamed around the world at his arraignment, there
6 were reports that the health of his alleged accuser, a boy with cancer, has taken a turn for the
7 worse The boy's father, separated from the mother desperately wants to see his son according
8 to the father's attorney, RH.

9
10 RH: **[First] he can't see his children, his son is allegedly the victim of a child molestation**
11 **by a family friend while in the custody of the mother and then he's hearing reports from**
12 **family friends that the boy is close to death – Now, how would one feel ?**

13
14 TV: The mother of J's alleged accuser has sole custody of the teen. Now the boy's father is
15 asking for some kind of joint custody. He wants to see his son.

16
17 RH: And so we need to do right now is to go back to court and get at least a modification
18 of this restraining order that would allow my client then to visit with, not only his son but
19 his other 2 children to see how they are.

20
21 TV: In a worst case scenario.....

22
23 **[END]**

1. KNBC 11/20/03 11:11PM
Channel 4 News RT: 1:56
Los Angeles Market #2
2. KCBS 11/21/03 5:11PM
CBS 2 News at 5:00 RT: 3:25
Los Angeles Market #2
3. WAVE 11/22/03 9:38AM
Weekend Sunrise RT: 0:48
Louisville Market #50
4. NBC 11/23/03 6:07AM
Today Show RT: 5:20
Nationally Televised
5. FNC 11/25/03 5:11 PM
The O'Reilly Factor RT: 7:05
National Cable Market
6. MSNBC 11/25/03 6:11PM
The Abrams Report RT: 4:12
National Cable Market
7. KTTV 12/01/03 10:05PM
Ten O'Clock News RT: 2:46
Los Angeles Market #2
8. MSNBC 12/3/03 4:00PM
News Live RT: 3:12
National Cable Market
9. KCBS 12/10/03 4:00PM
CBS News at 4 RT: 3:08
Los Angeles Market #2
10. A&E 1/5/04 8:54PM
The Michael Jackson Case RT: 1:09
National Cable Market
11. KNBC 1/21/04 5:40PM
Channel 4 News RT: 1:57
Los Angeles Market #2

Exhibit A
News Clips of H. Russell Halpern
Prior to 1/23/04

TIMER---:---

FILE START MODE
No. TIME
667 01/27 11:34 TX

LOCATION
918187581567

STORE TX/RX TOTAL CODE
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SANTA BARBARA COUNTY DISTRICT ATTORNEY'S OFFICE
FAX TRANSMITTAL COVER SHEET

DATE: 1/27/04 # OF PAGES: 6 (including cover sheet)

TO:

Henry Russell Halpern, Esq.

Fax No.:

(818) 758-1567

COMMENTS:

FROM:

Thomas W. Sneddon, Jr.
District Attorney

- ☐ FAX# (805) 568-2398 - Santa Barbara Main Office - Call (805) 568-2300 w/problems
- ☐ FAX# (805) 568-2451 - Santa Barbara Annex - Call (805) 568-2350 w/problems
- ☐ FAX# (805) 346-7492 - Santa Maria Criminal - Call (805) 346-7540 w/problems
- ☐ FAX# (805) 737-7732 - Lompoc Criminal - Call (805) 737-7760 w/problems
- ☐ FAX# (805) 346-7535 - Santa Maria Victim Witness - Call (805) 346-7529 w/problems

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THOMAS W. SNEDDON, JR.
District Attorney
MARNIE B. PINSKER
Assistant Director



PATRICK J. McKINLEY
Assistant District Attorney
CHRISTIE SCHULTZ
Assistant District Attorney

COUNTY OF SANTA BARBARA
DISTRICT ATTORNEY

January 27, 2004

Via Facsimile (818) 758-1567
Original Mailed Under Separate Cover

Henry Russell Halpern
Halpern & Halpern
18663 Ventura Blvd., #205
Tarzana, CA 91356

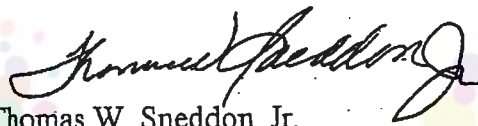
Re: Notification of Status as a Witness and Application of Protective Order

Dear Mr. Halpern:

The purpose of this letter is to advise you that the Office of the Santa Barbara County District Attorney has determined that you and your client, David Arvizo, will be witnesses at either a probable cause hearing or at the time of trial in the *People v. Michael Joe Jackson* case. Inasmuch as Judge Rodney Melville's Protective Order extends to "... any person subpoenaed or expected to testify in this matter ..." you should consider yourselves as covered by the Court's Protocol Order.

For your convenience, I have attached a copy of the Protective Order issued on January 23, 2004, by Judge Melville. The order is pretty clear about the parameters of what statements can and cannot be made. Based on the court's statements and the judge's overall attitude at the hearing, you should consider any deviation from this order as a serious matter, and gauge your comments accordingly. If you have any questions, please do not hesitate to contact me at (805) 568-2300.

Very truly yours,


Thomas W. Sneddon, Jr.
District Attorney

TWS:rm
Attachment

☒ Santa Barbara Office
Courthouse
1105 Santa Barbara Street
Santa Barbara, California 93101
(805) 568-2300
FAX (805) 568-2398

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FAX (805) 737-7732

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Santa Maria, California 93454
(805) 346-7540
FAX (805) 346-7588

FILED
SANTA BARBARA
SUPERIOR COURT

JAN 16 2004

GARY M. BLAIR
Executive Officer
By: *Lorna Frey*
LORNA FREY 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, et al.

Defendant.

Case No.: 1133603

Protective Order

TO: Thomas W. Sneddon, District Attorney for the County of Santa Barbara, and to
Mark J. Geragos, attorney of record for Defendant Michael Jackson, and all interested parties:

It is the Order of this Court that no attorney connected with this case as Prosecutor or
Defense Counsel, nor any other attorney working in or with the offices of either of them, nor
their agents, staff, or experts, nor any judicial officer or court employee, nor any law
enforcement employee of any agency involved in this case, nor any persons subpoenaed or
expected to testify in this matter, shall do any of the following:

1. Release or authorize the release for public dissemination of any purported extrajudicial
statement of either the defendant or witnesses relating to this case;

2. Release or authorize the release of any documents, exhibits, photographs, or any evidence, the admissibility of which may have to be determined by the Court;
3. Make any statement for public dissemination as to the existence or possible existence of any document, exhibit, photograph or any other evidence, the admissibility of which may have to be determined by the Court;
4. Express outside of court an opinion or make any comment for public dissemination as to the weight, value, or effect of any evidence as tending to establish guilt or innocence;
5. Make any statement outside of court as to the content, nature, substance, or effect of any statements or testimony that have been given or is expected to be given in any proceeding in or relating to this matter;
6. Issue any statement as to the identity of any prospective witness, or the witness's probable testimony, or the effect thereof;
7. Make any out-of-court statement as to the nature, source, or effect of any purported evidence alleged to have been accumulated as a result of the investigation of this matter.

This Order does not include any of the following:

1. Factual statements of the accused person's name, age, residence, occupation and family status.
2. The time and place of arrest, the identity of the arresting and investigating officers and agencies, and the length of the investigation.
3. The nature, substance, and text of the charge, including a brief description of the offenses charged.

1 4. Quotations from, or any reference without comment to, public records of the Court in the
2 case.

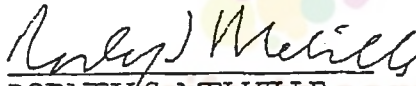
3 5. The scheduling and result of any stage of the judicial proceedings held in open court in an
4 open or public session.

5 6. A request for assistance in obtaining evidence or the names of possible witnesses.

6 7. Any witness may discuss any matter with any Prosecution or Defense Attorney in this
7 action, or any agent thereof, and if represented may discuss any matter with his or her
8 own attorney.
9

10 Any violation of this order will result in a contempt action for any offender within
11 the jurisdiction of this Court. A copy of this Order shall be provided to any prospective witness
12 that a party intends to call for any proceeding in this action.
13
14
15

16 DATED: January 16, 2004

17
18 
19 RODNEY S. MELVILLE
20 Judge of the Superior Court
21
22
23
24
25
26
27
28

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 JANUARY 23, 20 04, I served a copy of the attached PROTECTIVE ORDER addressed as follows:

THOMAS W. SNEDDON, DISTRICT ATTORNEY
DISTRICT ATTORNEY'S OFFICE
1105 SANTA BARBARA STREET
SANTA BARBARA, CA 93101

GERAGOS & GERAGOS
c/o MARK GERAGOS, ESQ.
350 S. GRAND AVENUE, 39TH FLOOR
LOS ANGELES, CA 90071-3480

GIBSON, DUNN & CRUTCHER
c/o THEODORE J. BOUTROUS, ESQ.
333 SOUTH GRAND AVENUE
LOS ANGELES, CA 90071

☒ FAX

By faxing true copies thereof to the receiving fax numbers of: 805-568-2398 (DISTRICT ATTORNEY); 213-625-1600 (MARK GERAGOS, ESQ.); 213-229-7520 (GIBSON, DUNN & CRUTCHER). Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(i), a transmission report was properly issued by the transmitting facsimile machine and is attached hereto.

☐ MAIL

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

☐ PERSONAL SERVICE

By leaving a true copy thereof at their office with their clerk therein or the person having charge thereof.

☐ EXPRESS MAIL

By depositing such envelope in a post office, mailbox, subpost 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 23RD day of JANUARY, 20 04, at Santa Maria, California.

Carrie L. Wagner
CARRIE L. WAGNER

EXHIBIT C

Transcript of: Big Story Weekend Edition
FOX NEWS (FNC)
February 7, 2004

NOTE:

*Direct Quotes of Russell Halpern in **BOLD**.

TV:....We've got some more exclusive information on the Jackson case now which you'll see only here on Fox..."

People close to Jackson are telling me that the new spokesperson for Jackson, Ramon Baine (phonetic) who was hired just a few days ago and her hiring was directed by Leonard Mohammad, the security chief for the Nation of Islam who has been glued to Jackson's side for months. Publicly Baine is saying, as you heard from Geraldo, that there is no secret summit taking place in the LA area in the next few days:

But numerous sources close to Jackson tell me that she's not being candid, that a secret summit, as I first reported, will happen. That they didn't want it leaked out in the press and that several financial bigwigs tied to Jackson pushed for this meeting with Jackson and have told him that the Nation of Islam must remove itself from handling Jackson's finances or they will leave and also cannot get refinancing from the Bank of America on a massive loan that Jackson has due I'm told on around approximately February 17 for somewhere between 280 to 300 million dollars.

The Nation of Islam may still pay a security role but Jackson's long time advisors want them out of the financial sphere. Some more exclusive details --- I've learned that it was not Germaine Jackson but Randy Jackson, who spoke with Geraldo as you just heard, Jackson's youngest brother who actually brought the Nation of Islam around Michael months ago and get this, we've learned that Randy Jackson is now the only Jackson family member who is allowed

1 to contact to Michael. That all the other family members including Germaine and Michael's own
2 parents have been cut off from Michael by the Nation of Islam and that the family is livid.

3 I'm told that it's gotten so bad that, get this, Tito, Jackie and Germaine Jackson got into a
4 fist fight with the Nation of Islam guards in Neverland about two and a half weeks ago – who
5 would not let them see Michael and that one of the guards threatened Tito saying quote “we
6 could really hurt you”. I'm told that Michael Jackson himself had to break up that fight.

7 Joining us now to talk about all of the explosive developments is attorney, Russell
8 Halpern who represents the father of the boy accusing Michael Jackson and we also have Ken
9 Baker of U.S. Weekly, *US Weekly* rather, reporting some new information on what was taken
10 from Jackson's estate when it was raided.

11 Um, Ken, I want to talk with you ----- *US Weekly* – you guys have done a really good job with
12 this story. I understand it is getting really ugly between the Nation of Islam and the family
13 members now

14 Ken Baker: Ya, well, actually, um...I spoke to Mark Geragos, interviewed him about 3 days ago
15 in Los Angeles, ah again, like Geraldo said, Mark Geragos much like Michael is very very aware
16 of this gag order ah that won't allow them to talk to anything (sic) ...talk about anything relevant
17 to the facts of the case. However, Mark wanted to make it very clear to me that... the Nation of
18 Islam is not involved in any way with his legal strategy – ah they are not, as he says, they're not..

19 TV: What about his finances ? What about taking over his finances Ken?
20

21 Ken Baker: They are not... well, you know, you know Mark's primary concern is that
22 courtroom, dealing with the ah legal aspects of the case, ah you know...I think that Mark just
23 want it taa... to be made clear that --- and its very difficult for him--- and you can see its difficult
24 for Michael, this protective order and um, by the way Mark did tell me that he is very very eager
25 to ah get some amendments made to this gag order because he's chomping at the bit to get back
26 out there to talk to people like me and you... ah, to basically to be able to put down rumors and
27 ah deny false rumors that are out there...
28

1 TV: I'm sure he is. Ah Russell, I want to bring you in ... um, we just got some visit, at least in a
2 view of some of the court filings that were made in the case. I know you're representing the
3 father of the accuser, the 13 year old boy who says he was molested by Michael and in court
4 papers that we saw public this week there were some things about the mother's mental state. Tell
5 us about that....

6 Russell Halpern: Well, that's been out for some time now.. Basically, the papers speak for
7 themselves. As you know, there is this gag order and I have been informed by ahh... Mr.
8 Sneddon that he believes that I am a potential witness, which I believe is very disingenuous
9 ...but the papers that you have.

10 TV: You don't believe that you would be a witness in shape or form?

11 Russell Halpern: Ah...of course not. I spoke to Mr. Sneddon personally and I asked him
12 'In what way would I be a witness' and he said, Well, maybe you could impeach certain
13 witnesses, and then we...the conversation went on, and he, and I asked him 'Who am I
14 going to impeach, your own witnesses?' I mean, it's ridiculous. He knows and everybody
15 know that I have no information that is legally admissible in the case of Jackson and that's
16 not my concern.

17 TV: do you believe that he is just trying to keep you quiet... is that...is that what you're saying?

18 Russell Halpern: Of course, of course.

19 TV: I know that in the court filings said that, maybe you can confirm this Russell, that it
20 essentially just said that this mother, this is the mother of the 13 year old boy, we've heard she
21 slapped some lawsuits, has looked for some money in the past, but now we're hearing, its been
22 revealed that apparently she was in a mental hospital in 1998 – is that right?

23 Russell Halpern: That is correct. We put that in the paperwork because we believe that it's
24 relevant in determining what is best for the children. There is no question she was in 1998
25 was in a mental hospital possibly suffering from severe depression and I believe possibly
26 from bi-polar problem that she has
27
28

1 TV: All right, Ken, real quick, ... other things that were taking place....all these raids that were
2 taking place around town, Mark Shafel (phonetic) former music producer...also Christian
3 Robinson (phonetic) who was the photographer who was working with Mark Shafel. What did
4 they get... you have some exclusive details on what they seized...

5 Ken Baker: Right, ah sources really close to the investigation told our magazine that ah, in two
6 separate raids, as you said on Mark Shafel's house and also Christian Robinson these were two
7 men who were involved in video taping an interview with the accuser, the 14 year old accuser
8 and ha, the mother and ah what was seized in these raids we're told were video tapes of just raw
9 footage and apparently what's really important to the DAs from what we've been told is that on
10 these you can hear someone off camera or more than one person off camera actually coaching the
11 child to give certain answers, in fact, ah one of the questions was ah - 'You know, ah - Michael's
12 always been really good to you, right?' I mean this was the nature of the interview.

13 What's interesting is that this was, ah this was actually video taped about a year ago. It was to be
14 used on Jackson's infamous rebuttal special ah, on Fox, that uh, ultimately ran, but this footage
15 was never run and we were told by the sources that us, Jackson's producers actually felt it was "a
16 little creepy" quote unquote, to have the child speaking about Michael in this way. So they ended
17 up ditching it. But now its in the hands of the DA and they're going through that tape to see if
18 there's anything in there that shows that ah, Jackson and his people were trying to somehow, ha
19 silence them or somehow get them on the record in a protective way, defensively ah, in case
20 something has come up, with the accuser coming out so...ah, the smoking gun evidence in this is
21 also, there is a script that was obtained. They took computers from Shafel's house and ah there's
22 apparently scripts and different notes and emails that were involved in the process of putting
23 together this special and its all going to come up in the case and its going to get to the credibility
24 ah of Michael when he says that, you know, he wasn't trying to hide anything.

25 TV: Very true..

26 TV: And Russell, real quick. We've heard some conflicting things about the state of this young
27 boy, unfortunately a cancer victim - um, some people are saying he's not doing well . Others
28 have said that he's doing okay, what do you know?

1 Russell Halpern: Well, my client's also heard these conflicting reports that one of the main
2 reason why we want to try to get visitation as fast as possible.

3 The last time we were in court ah, Mr. Manning (phonetic) that's the mother's attorney brought
4 an unsigned letter from a doctor who said that the boy was in complete, well not complete
5 remission, but in remission. Although he had ah, a very serious operation a couple years ago and
6 had several organs removed and may have some damage to his lung, there's nothing new in his
7 condition and there's no inherent danger. But my client and I are very concerned because as you
8 say, we've heard conflicting things.

9 TV: alright, well thank you , of course our thoughts and prayers are with that boy...

10 Russell Halpern: Mine too.

11
12 TV: ... and both you, thank you very much for some really interesting information we appreciate
13 it.

14 Russell Halpern: Thank you for having me.
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6 1/2 x 9 1/4

Exhibit C
February 7, 2004
FOX NEWS (FNC)
Big Story Weekend Edition



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Exhibit D
January 14, 2004
The John and Ken Radio Show



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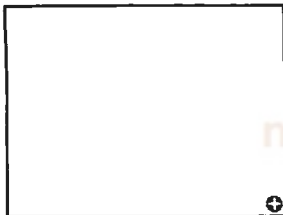
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Jackson Accuser's Dad Speaks Up

Feb. 9, 2004



Michael Jackson (Photo: AP / CBS)



"From what I understand, Mr. Jackson was very hospitable and a very good host and never displayed any conduct that would cause anybody any concern," attorney Russell Halpern



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A sea of cameras, fans and supporters surround an embattled star.

INTERACTIVE



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Jackson's Career

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(CBS/AP) The father of Michael Jackson's young accuser, who has pleaded no contest to child cruelty, said in an interview broadcast Monday that he wants a restraining order dropped so he can resume seeing his children. His attorney also says the man is not seeking money from the entertainer.

"I've been trying to get a hold of them and get in touch with them since 2001," the man said in an interview on CBS News' *The Early Show*. "I've never been without them and it's been just a world of hurt without them since I've been away from them."

Last month, a judge refused to lift a 2-year-old restraining order banning him from seeing his children. The father had requested supervised visits with the boy, his brother and sister.

The father pleaded no contest to child cruelty in 2002 and spousal abuse in 2001 and the boy's mother filed for divorce in 2001. The man's lawyer, Russell Halpern, said the father entered the no contest plea "against his own wishes," but never admitted wrongdoing.

Halpern would not let the man answer questions about the singer, citing a gag order in Jackson's case.

Jackson has pleaded innocent to seven counts of performing lewd or lascivious acts on a child under 14 and two counts of administering and intoxicating agent, reportedly wine. The singer is free on \$3 million bail pending trial.

Halpern told *Early Show* National Correspondent Hattie Kauffman both parents were present at Neverland.

"From what I understand, Mr. Jackson was very hospitable and a very good host and never displayed any conduct that would cause anybody any concern," he said, answering for the boy's father.

The man's son was a teenage cancer patient when the alleged abuse occurred last year.

The father described his son's illness, saying that the youth had "a 16-pound cyst in his tummy area." The surgeon who removed the tumor said it was the "size of a football" and the boy lost a kidney, spleen and lymph nodes when the tumor was removed, the father said.

Halpern denied his client, the boy's father, is looking for money from Jackson.

"I don't foresee any lawsuit on behalf of my client," he said. "There is nothing to be discussed."

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Jackson Accuser's Dad Speaks Up

Feb. 9, 2004

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Exhibit F
February 13, 2004
Larry King Live
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