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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

JUN 22 2005

GARY M. BLAIR, Executive Officer

Carrie L. Wagner

CARRIE L. WAGNER, Deputy Clerk

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12 Attorneys for Defendant
13 **MICHAEL JOSEPH JACKSON**

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

16 THE PEOPLE OF THE STATE OF
17 CALIFORNIA,

18 Plaintiffs,

19 vs.

20 MICHAEL JOSEPH JACKSON,

21 Defendant.

Case No. 1133603

REQUEST THAT CERTAIN
TRANSCRIPTS AND DOCUMENTS
SHOULD REMAIN SEALED PURSUANT
TO RULE OF COURT 243.1(D)

~~UNDER SEAL AND IN CAMERA~~

Honorable Rodney S. Melville

Date: TBD

Time: TBD

Dept: SM

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23 TO THE CLERK OF THE ABOVE ENTITLED COURT:

24 Pursuant to the Court's instructions on June 16, 2005, Mr. Jackson submits that documents
25 and transcripts of hearings regarding the following subject matters remain sealed:

26 1. **Matters Related to Attorney-Client Privilege**

27 It is not possible to know exactly what was discussed in every proceeding. From what we
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EX PARTE APPLICATION FOR AN ORDER THAT CERTAIN DOCUMENTS REMAIN SEALED PURSUANT
TO RULE OF COURT 243.1(D)

1 have been able to determine from the documents, there were proceedings held in camera, out of the
2 presence of the prosecution, which related to attorney-client privileged material that was not subject
3 to any waiver. For instance, there were filings and attachments regarding the transition from Mark
4 Geragos and Benjamin Brafman to Thomas Mesereau in which certain attorney client privileged
5 material was disclosed. We believe that privilege still applies and that the material should continue
6 to be sealed and that any transcripts of those proceedings should remain sealed.

7 **2. Personal Matters Regarding Counsel**

8 There were proceedings related to personal matters related to counsel including Steve
9 Cochran's departure from the defense team and the health of Mr. Mesereau's sister. Transcripts and
10 documents regarding these matters should remain sealed to protect the overriding interest of the right
11 to privacy pursuant to Article I, Section 1 of the California Constitution.

12 **3. Personal Matters Regarding Jurors**

13 There were also proceedings regarding confidential matters that related to jurors. In
14 particular, there was some discussion of completely unsupported allegations of juror conduct that
15 should remain confidential. Police reports containing unsubstantiated allegations of misconduct
16 should not be disclosed. Transcripts and documents regarding these matters should remain sealed
17 to protect the overriding interest of the right to privacy pursuant to Article I, Section 1 of the
18 California Constitution.

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1 **4. Phone Records**

2 To the extent that the exhibits are not returned to the parties submitting them, any phone
3 records should be sealed or redacted as provided by prior court order.


4 Dated: June 22, 2005

5 Respectfully submitted,

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

9 SANGER & SWYSEN
10 Robert M. Sanger
11 Stephen K. Dunkle

12 By:

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14 _____
15 Stephen K. Dunkle
16 Attorneys for Defendant
17 MICHAEL JOSEPH JACKSON

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