Thomas A. Mesereau, Jr. (SBN 91182) Susan C. Yu (SBN 195640) COLLINS, MESEREAU, REDDOCK & YU 1875 Century Park East, 7th Floor Los Angeles, CA 90067 Telephone: 310-284-3120 Facsimile: 310-284-3133 3 JUL 2 2 2004 Facsimile: A GARY M. BLAIR, Executive Officer By Carried Wagner Robert M. Sanger (SBN 58214) CARRIE L. WAGNER, Debuty Clerk SANGER & SWYSEN 233 E. Carrillo Street, Suite C Santa Barbara, California 93101 Telephone: 805-962-4887 Facsimile: 805-963-7311 8 Brian Oxman (SBN 072172) OXMAN & JÀROSCAK 9 14126 East Rosecrans Santa Fe Springs, California 90670 Telephone: 562-921-5058 Facsimile: 562-921-2298 11 Attorneys for Defendant MICHAEL J. JACKSON 13 SUPERIOR COURT OF THE STATE OF CALIFORNIA 14 FOR THE COUNTY OF SANTA BARBARA 15 SANTA MARIA DIVISION 16 1.7 THE PEOPLE OF THE STATE OF CASE NO. 1133603 CALIFORNIA. 18 EX PARTE APPLICATION FOR Plaintiff. LEAVE TO FILE IN CAMERA A 19 DECLARATION BY DEFENSE COUNSEL IN SUPPORT OF MR. 20 VS. JACKSON'S MOTION TO CONTINUE TRIAL MICHAEL J. JACKSON Defendant. FILED UNDER SEAL 22 Hearing Date: July 27, 2004 Time: 8:30 A.M. 23 Place: SM Department 2 24 25 Defendant Michael J. Jackson, through his counsel, hereby applies ex parte for - 26 leave to file in camera the declaration of Steve Cochran in support of Mr. Jackson's 27 motion to continue trial. An in camera submission is necessary to provide the Court 28

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with privileged information, including strategy concerning work that must be done in preparation for trial. This application is based upon the attached declaration of Steve Cochran, the file and record and any other information presented prior to a ruling hereon. Dated: July 22, 2004 Respectfully submitted, Thomas A. Mesereau, Jr. COLLINS, MESEREAU, REDDOCK & YU Robert M. Sanger SANGER & SWYSEN Brian Oxman OXMAN & JAROSCAK By: Attorneys for Defendant 

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## DECLARATION OF ROBERT SANGER

- I am an attorney duly authorized to practice before all courts of the State of California and am a partner of the law firm of Sanger & Swysen co-counsel for Michael Joseph Jackson in the above-entitled case. I submit this declaration in support of Mr. Jackson's ex parte application to file an in camera declaration of defense counsel in support of his Motion to Continue Trial.
- 2. The prosecution has indicated that a continuance is warranted. In order to determine the proper length of a continuance, defense counsel proposes an *in camera* showing regarding the work to be done and the time needed to perform those tasks. Because that showing will divulge privileged information regarding defense strategy, I respectfully request leave to file a declaration under seal.

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

Executed this 22<sup>nd</sup> day of July, 2004 at Santa Barbara, California.

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## PROOF OF SERVICE BY MAIL

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen and not a party to the within action, and my business address is Katten Muchin Zavis Rosenman (the "business"), 2029 Century Park East, Suite 2600, Los Angeles, California 90067.

- () I am readily familiar with the business's practice for collection and processing of correspondence for mailing with the United States Postal Service; such correspondence would be deposited with the United States Postal Service the same day of deposit in the ordinary course of business.
- (X) (By Personal Service) I delivered such envelope by hand to the addressee(s) as indicated above.
- () By Facsimile Machine, I caused the above-referenced document(s) to be transmitted to the persons listed below:

On July 22, 2004, I served the foregoing documents described as EX PARTE APPLICATION FOR LEAVE TO FILE IN CAMERA A DECLARATION BY DEFENSE COUNSEL IN SUPPORT OF MR. JACKSON'S MOTION TO CONTINUE TRIAL on the interested parties in this action as follows:

Thomas W. Sneddon, Jr.
District Attorney of Santa Barbara
1105 Santa Barbara Street
Santa Barbara, CA 93101

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

Executed on July 22, 2004, at Los Angeles, California.

Print Name Signature

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Fax: 805-568-2398