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**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA

JUL 23 2004

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

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

\* *unsealed pursuant  
to 6/16/05 court  
order*

11  
12 THE PEOPLE OF THE STATE OF CALIFORNIA,

13 Plaintiff,

14  
15 v.

16  
17 MICHAEL JOE JACKSON,

18 Defendant.

No. 1133603

19 NOTICE OF MOTION AND  
20 PLAINTIFF'S MOTION TO  
21 QUASH SUBPOENAS ISSUED  
22 JANET VENTURA, WILLIAM  
23 DICKERMAN AND STAN KATZ  
24 ON BEHALF OF DEFENDANT;  
25 MEMORANDUM OF POINTS  
26 AND AUTHORITIES;  
27 DECLARATIONS OF WILLIAM  
28 DICKERMAN, RONALD ZONEN  
AND STAN J. KATZ

(Code Civ. Proc., § 1987.1; Pen.  
Code, § 1350)

DATE: July 27, 2004  
TIME: 8:30 a.m.  
DEPT: TBA (Mcville)

*UNDER SEAL*

24 TO: DEFENDANT MICHAEL JOE JACKSON, AND TO THOMAS A.  
25 MESEREAU, JR., STEVE COCHRAN, ROBERT SANGER AND BRIAN OXMAN, HIS  
26 ATTORNEYS OF RECORD:

27 PLEASE TAKE NOTICE that on July 27, 2004, at 8:30 a.m. or as soon thereafter as  
28 the matter may be heard, Plaintiff will move to quash the subpoena served at the then-residence

1 of Mrs. Janet Ventura Jackson (hereafter, "Ms. Ventura") on July 18, 2004, the subpoena duces  
2 tecum served, in two parts, on Attorney William Dickerman or his receptionist, on July 16th  
3 and on July 19, 2004, and the exhaustive subpoena duces tecum served on Dr. Stan J. Katz on  
4 Wednesday afternoon, July 21.

5 This motion will be based on the arguments that follow in the Memorandum of  
6 Points and Authorities, and on the attached Declarations of William Dickerman and Ronald  
7 Zonen, and on the attached Exhibits, and on the records and pleadings in this matter and on  
8 such argument as may be permitted at the time of the hearing.

9 DATED: July 23, 2004

10 THOMAS W. SNEDDON, JR.  
11 District Attorney

12 By:   
13 Gerald McC. Franklin, Senior Deputy

14 Attorneys for Plaintiff  
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1 MOTION TO QUASH SUBPOENAS

2 Introduction

3 On July 18, 2004, defendant caused a subpoena to be delivered to Davellin Arvizo,  
4 the daughter of Ms. Ventura, at their then-residence at [REDACTED] in Los  
5 Angeles. A copy of the subpoena is attached to this Motion as Exhibit A..

6 On July 16, 2004, a subpoena duces tecum was served on attorney William  
7 Dickerman (followed, on July 19th, by service of the supporting affidavit on his receptionist) at  
8 his office in Los Angeles. A copy of the subpoena and its affidavit is attached to this Motion  
9 as Exhibit B. The affidavit claims that attorney Dickerman's testimony and the subpoenaed  
10 documents constitute "information that is relevant to the issues to be litigated during the  
11 Motion to Suppress Pursuant to Penal Code section 1538.5 and Non-statutory Grounds (Part  
12 I)."

13 On July 19, 2004, Senior Deputy District Attorney Ronald Zonen sent an e-mail to  
14 Robert Sanger, one of defendant's several defense counsel, asking, among other things, "As to  
15 which pending motion scheduled for the 27th do you anticipate Janet's testimony will be  
16 relevant? On what subject do you intend to question her?" (A copy of that e-mail transmission  
17 is attached to this Motion as Exhibit C.)

18 On July 19, 2004, Thomas Mesereau responded to Mr. Zonen's inquiry in part as  
19 follows: "Ms. Arvizo was subpoenaed to be a witness at the hearing on the illegal break-in and  
20 search of investigator Brad Miller's office. The police reports, search warrants and Grand Jury  
21 testimony explain her direct relevance to this hearing." (A copy of that e-mail transmission is  
22 attached to this Motion as Exhibit D.)

23 In mid-afternoon on July 21, 2004, Stan J. Katz, Ph.D. was personally served with a  
24 subpoena duces tecum and an 8-page "Declaration by Thomas A. Mesereau, Jr. In Support Of  
25 Subpena To Dr. Stanley Katz," listing in exhaustive detail an exhaustive number of documents  
26 Dr. Katz was commanded to bring with him to court at 8:30 a.m. on Tuesday, July 23rd. (A  
27 copy of that subpoena and its supporting declaration is attached as Exhibit E.) Dr. Katz's  
28 personal presence in court was not excused.

1 In his supporting declaration, attorney Mescreau describes the purported "good  
2 cause" in these words: "The information requested by this Subpoena discloses the motive,  
3 intent, and conscious state of mind of persons making claims in the Santa Barbara Superior  
4 Court, along with persons directing, counseling and controlling the complaints in the Santa  
5 Barbara Superior Court action." (Mescreau Declaration 8:14-17.)

6 The People move to quash the subpoenas on the following grounds:

7 (1) The suppression motion scheduled for hearing on July 27 is not a motion to traverse  
8 the warrant (a separate motion to that distinct end was filed and is calendared for hearing on  
9 August 16). A challenge to the search of investigator Miller's office is limited to the four  
10 corners of the warrant that authorized the search and its supporting affidavit, and to the scope  
11 and intensity of the search undertaken by the peace officers who executed the warrant. Neither  
12 Mrs. Jackson nor attorney Dickerman is a peace officer, and neither of them witnessed the  
13 execution of the warrant. Neither of them can be expected to give competent evidence in  
14 connection with the pending, statutorily limited motion.

15 (2) As attorney Dickerman explains in his declaration (attached as Exhibit F), the  
16 subpoena duces tecum does not describe the documents with the required precision. Many of  
17 the documents generally described in the subpoena are privileged. Further, an intelligible  
18 subpoena duces tecum was not served upon him personally. In any event, Mr. Dickerman has  
19 long-scheduled and non-cancelable plans to be on vacation in Canada from July 25 through  
20 August 2, 2004. And July 27 is Tisha b'Av, a holy day of fasting and contemplation for Mr.  
21 Dickerman, an observant Orthodox Jew.

22 (3) As is described more fully in Mr. Zonen's declaration (attached as Exhibit G), Ms.  
23 Ventura is pregnant. It is presently anticipated she will deliver her child on or before July 27.

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

27 She will be in no condition to travel to Santa Maria on July 27, let alone to be  
28 subjected to hostile examination by one or another of defendant's several attorneys on that date.

(4) As is described more fully in Dr. Katz's declaration (attached as Exhibit H), he



1 received no advance notice of the fact that he would be obliged to appear in the Superior Court  
2 in Santa Maria next Tuesday morning, and given his professional obligations to patients and  
3 others between the date and time he received the subpoena duces tecum and next Tuesday  
4 morning, it would be impossible for him to gather the information sought by the subpoena.  
5 Apart from that, the Court was not informed that such a subpoena would issue and that Dr.  
6 Katz would be present in court next Tuesday, nor was time requested on Tuesday's calendar to  
7 consider the likely objections that subpoena would elicit, from Dr. Katz and plaintiff.

8 In next Tuesday's court session, the Court is scheduled to take up defendant's Penal  
9 Code section 995 motion and "Part I" of his Penal Code section 1538.5 motion. Hearing on  
10 those matters promises to take considerable time. In our respectful submission, the timing of  
11 the subpoena duces tecum for Dr. Katz's records, the breathtaking scope of the subpoena's  
12 demand, and defendant's insistence that Dr. Katz bring the records with him in person, all  
13 suggest an abuse of process. It plainly exceeds the limits of criminal discovery, and plaintiff  
14 believes it goes well beyond what would be countenanced, over objection, in a civil  
15 proceeding. We respectfully request time to consider and draft an appropriate objection to the  
16 Katz subpoena.

17 (5) Neither Ms. Ventura nor Mr. Dickerman is obliged to attend proceedings in a court  
18 located in a different county and more than 150 miles distant from their respective residences,  
19 unless the subpoena is endorsed by a judge for such service. (Pen. Code, § 1330.) Neither of  
20 the subpoenas in question displays such an endorsement.

21 For those reasons, discussed more fully below, the subpoenas duces tecum should  
22 be quashed.

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1  
2 MEMORANDUM OF POINTS AND AUTHORITIES

3 I

4 THE COURT MAY QUASH A SUBPOENA WHEN IT  
5 APPEARS THAT THE WITNESS CANNOT TESTIFY  
6 COMPETENTLY CONCERNING THE ISSUES TO BE  
7 ADDRESSED IN THE PENDING PROCEEDINGS

8 In *People v. Superior Court (Long)* (1976) 56 Cal.App.3d 374, the Court of Appeal  
9 observed:

10 "There is no statutory authority to quash a subpoena, other than a  
11 subpoena duces tecum. It was held in an early case that in the  
12 absence of a statutory provision for such an order, an order quashing  
13 a subpoena was a nullity. [Citation.] It has since been established  
14 that the court may quash a subpoena that is regular on its face where  
15 *the facts justify such action.*" (*People v. Rhone* (1968) 267  
16 Cal.App.2d 652, 657; italics added.) A subpoena may properly be  
17 quashed where the witness would not have contributed material  
18 evidence. (See, e.g., *In re Finn* (1960) 54 Cal.2d 807, 813; *People v.*  
*Singletary* (1969) 276 Cal.App.2d 601, 604; *People v. Rhone, supra*,  
at pp. 656-657.) (*Id.*, at p. 378.) (Underlined emphasis added.)

19 Code of Civil Procedure section 1987.1, added by the Legislature in 1976 to remedy  
20 its oversight, provides, in relevant part, "When a subpoena requires the attendance of a witness  
21 . . . before a court, . . . the court, upon motion reasonably made by the party . . ., may make an  
22 order quashing the subpoena entirely, modifying it, or directing compliance with it upon such  
23 terms or conditions as the court shall declare, including protective orders." Whether section  
24 1987.1 has application in criminal cases is not determinative; *People v. Superior Court (Long)*,  
25 *supra*, 56 Cal.App.3d 374 and the cases it cites make it plain that a motion to quash a rogue  
26 subpoena is available to a subpoenaed witness who could give no relevant testimony.

27 We will show that neither Janet Ventura nor William Dickerman could testify  
28 competently to issues properly raised in the pending suppression motion.

II

THE 1538.5 MOTION SCHEDULED FOR HEARING ON JULY 27TH IS LIMITED TO AN EXAMINATION OF THE FACIAL SUFFICIENCY OF THE WARRANT AND THE AFFIDAVIT SUPPORTING IT, AND THE SCOPE OF THE RESULTING SEARCH OF MR. MILLER'S OFFICE ON NOVEMBER 18, 2003. IT IS NOT A FRANKS MOTION TO TRAVERSE THAT WARRANT. NEITHER JANET VENTURA OR WILLIAM DICKERMAN WAS PRESENT WHEN THE WARRANT WAS EXECUTED; NEITHER CAN PLAUSIBLY OFFER COMPETENT TESTIMONY ON THE LIMITED ISSUES TO BE RESOLVED IN THE UPCOMING HEARING. NO "NON-STATUTORY" GROUND FOR SUPPRESSING EVIDENCE EXISTS IN CALIFORNIA LAW

A. The Pending 1538.5 Motion Is Limited In Its Scope

Defendant has filed not one but *two* motions to suppress in this matter, each of them seeking, in whole or in part, to challenge the search of the offices of Bradley Miller, a private investigator whose activities, directly or indirectly in the service of Michael Jackson, figure importantly in the events between February 6, 2003 and the search of his office on November 18 of that year.

The first motion to suppress (identified by defense counsel as "Part I" and referred to here as "Motion Part I"), was filed on or about June 21, 2004, as both a substitute for and an adjunct to the objection raised by Mark Geragos, defendant's earlier lead counsel, that the property seized in the search was protected by the attorney-client or attorney work-product privileges.<sup>1</sup> The pending motion was limited to the search of Mr. Miller's office because it was contemplated that the Court, at that hearing, would be considering related arguments concerning the assertedly "privileged" status of evidence seized in the search. Defendant

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<sup>1</sup> In defendant's "1538.5 motion, Part I," counsel noted, "Former counsel for Mr. Jackson, Mark Geragos, originally represented to the Court that he would proceed regarding the search of Bradley Miller's office by attorney-client privilege log, under the core work-product doctrine. We must respectfully withdraw that request in light of further developments including testimony of witnesses before the Grand Jury." (Motion, Part I 9:21-24.)



1 promised that "additional motions to suppress would be heard in August, 2004." (Motion Part  
2 I 2:20-22.)

3 A motion to suppress evidence pursuant to Penal Code section 1538.5 is limited in  
4 its reach. A search pursuant to a warrant is presumed to be lawful, and the defendant assumes  
5 the burden of showing otherwise. (*Williams v. Justice Court* (1964) 230 Cal.App.2d 87, 97;  
6 *People v. Acosta* (1956) 142 Cal.App.2d 59, 62.) Defendant has noticed his intention to mount  
7 a "subfacial" challenge to the truth of the facts alleged by the affiant pursuant to *Franks v.*  
8 *Delaware* (1978) 438 U.S. 154, but that separate motion is calendared for hearing on August  
9 16. The present statutory suppression motion must be confined to the affidavit's demonstration  
10 of probable cause for a search and, if appropriate, the lawfulness of the search made on the  
11 purported authority of the warrant.

12 Assuming, strictly for the sake of argument, that the testimony of Ms. Ventura and  
13 Attorney Dickerman might be relevant to the Court's consideration of defendant's separately  
14 calendared *Franks* motion, such testimony plainly would not be relevant to the adjudication of  
15 the more limited motion presently calendared for hearing on July 27.

16 B. There Are No "Non-Statutory Grounds" For Suppressing  
17 Evidence In A Criminal Case

18 The caption of defendant's suppression motion declares it is made "Pursuant To  
19 Penal Code Section 1538.5 And Non-Statutory Grounds." (Emphasis added.)

20 The purported "non-statutory grounds" for suppression appear to be defendant's  
21 belief that the search of investigator Miller's office constituted "an invasion of Mr. Jackson's  
22 defense camp" (Motion, Part I, pp. 10:2-3; 10); an invasion so "blatantly illegal" that it "denied  
23 Mr. Jackson's fundamental due process rights and impaired his right to the effective assistance  
24 of counsel under the Fifth and Sixth Amendments to the United States Constitution" (Motion,  
25 Part I, pp. 10:6; 10:19-22; 11:24-27). Defendant may believe that Janet Ventura and William  
26 Dickerman have relevant evidence to give on his "due process" theory of suppression.

27 In our opposition to the pending motion, Plaintiff pointed out that government  
28 conduct so "outrageous" as to violate due process "bars prosecution," and that "dismissal of the



1 case is the only sanction. (*People v. Wesley* (1990) 224 Cal.App.3d 1130, 1138.)"

2 (Opposition 6:2-8.) Plaintiff observed, "The suggested 'lesser' sanction of suppression of the  
3 evidence against [defendant] is not available for that reason, and because relevant evidence  
4 seized in the course of a search may not be 'suppressed' unless that evidence was seized in  
5 violation of the accused's rights under the Fourth Amendment." We noted, "Challenges to the  
6 reasonableness of a search by government agents clearly fall under the Fourth Amendment, and  
7 not the Fourteenth." (*Conn v. Gabbert* (1999) 526 U.S. 286, 293 [119 S.Ct. 1292, 1296.]")

8 Defendant responded, "The violation of the sanctity of the attorney-client  
9 relationship gives rise to its own remedies" (Reply 2:9-10), and "Suppression is that remedy"

10 (*Id.*, 4:4-6). Defendant did not cite any authority in support of that statement, and it is contrary  
11 to the authorities just cited.

12 Penal Code section 1538.5, subdivision (m), declares, in pertinent part:

13 (m) The proceedings provided for in this section, and Section 871.5,  
14 995, 1238, and 1466 shall constitute the sole and exclusive remedies  
15 prior to conviction to test the unreasonableness of a search or seizure  
16 where the person making the motion for return of property or the  
17 suppression of evidence is a defendant in a criminal case and the  
18 property or thing has been offered or will be offered as evidence  
19 against him or her.

20 Appellate review of this Court's disposition of the pending motion will be informed  
21 by the record made in this Court. The People respectfully request that the Court explicitly  
22 address defendant's argument that suppression of evidence is a remedy for a claimed violation  
23 of the Fourteenth Amendment. We respectfully request that the Court quash the subpoenas for  
24 Ms. Ventura and Mr. Dickerman if it determines that their evidence would not be relevant to  
25 the Court's consideration of a properly limited and focused suppression motion.

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"The *Conn* decision, incidentally, involved attorney Gabbert's claim in his civil rights lawsuit that two  
California prosecutors' search of his person, even as his client was testifying before a criminal grand  
jury, violated his due process right to practice his profession without unreasonable government  
interference. The United States Supreme Court did not agree with Gabbert's theory.

1 C. Neither Ms. Ventura Nor Attorney Dickerman Is Likely To Provide  
2 Relevant Evidence On The Issue Whether The Presumptively Valid  
3 Warrant For The Search Of Mr. Miller's Office Was Lawfully Executed

4 Neither Janet Ventura or William Dickerman was present when Mr. Miller's office  
5 was searched, and it does not appear either of them has relevant evidence to give in support of  
6 a claim that the search of Mr. Miller's office violated the Fourth Amendment. The subpoenas  
7 for their attendance should be quashed unless defendant satisfies the Court to the contrary.

8 Under the circumstances, the subpoena commanding Ms. Ventura's personal  
9 presence in court on July 27 should be quashed, and defense counsel should be admonished  
10 concerning their apparent willingness to use the Court's process for inappropriate ends.

11 III

12 DEFENDANT'S SUBPOENA TO MS. VENTURA  
13 SHOULD BE QUASHED BECAUSE SHE IS NOT  
14 PHYSICALLY ABLE TO OBEY IT

15 Please see the attached Declaration of Senior Deputy District Attorney Ronald  
16 Zonen. Even assuming Ms. Ventura could testify competently to the narrow issues framed by  
17 defendant's pending suppression motion, she will not be able to attend court on July 27 because  
18 she will have given birth on or before that date. The subpoena commanding her attendance  
19 should be quashed.

20 IV

21 THE SUBPOENA DUCES TECUM FOR WILLIAM  
22 DICKERMAN WAS NOT PERSONALLY SERVED ON  
23 HIM, AND IT SHOULD BE QUASHED FOR THAT  
24 REASON ALONE

25 Please see Mr. Dickerman's declaration.

26 Mr. Dickerman may not be correct in his belief that Code of Civil Procedure section  
27 1987.5's requirement that a subpoena duces tecum and its affidavit be served together to be  
28 effective makes the service in this case improper for that reason alone. See *Michael B. v.*  
*Superior Court* (2002) 103 Cal.App.4th 1384, 1394-1395, holding that that statute's provision

1 that "The service of a subpoena duces tecum is invalid unless at the time of such service a copy  
2 of the affidavit upon which the subpoena is based is served on the person served with the  
3 subpoena" is not applicable to either criminal trials or criminal grand jury proceedings.

4 On the other hand, defendant's only identification of the "records" he seeks from  
5 Mr. Dickerman is in the affidavit, making that document an indispensable part of the subpoena  
6 itself. That essential document was not served on him personally.

7 Penal Code section 1328, rather than Code of Civil Procedure section 1987, governs  
8 service of subpoenas in criminal cases, but each requires delivery of the subpoena "to the  
9 witness personally." (*Id.*, subd. (a); emphasis added.) Assuming a subpoena was personally  
10 served on Mr. Dickerman, an intelligible subpoena duces tecum was not. Therefore, the  
11 subpoena duces tecum should be quashed on that ground.

12  
13 V  
14 THE SUBPOENAS FOR MS. VENTURA AND  
15 MR. DICKERMAN ARE INEFFECTIVE, BECAUSE  
16 EVEN IF THOSE INDIVIDUALS WERE PERSONALLY  
17 SERVED, THE SUBPOENAS DO NOT BEAR THE  
18 ENDORSEMENT OF A JUDGE REQUIRED BY  
19 PENAL CODE SECTION 1330 WHEN, AS IS THE  
20 CASE FOR EACH OF THEM, THE WITNESS RESIDES  
21 MORE THAN 150 MILES FROM THE COURT

22 "No person is obliged to attend as a witness before a court or magistrate out of the  
23 county where the witness resides, or is served with the subpoena, unless the distance be less  
24 than 150 miles from his or her place of residence to the place of trial . . .," unless a judge in  
25 this state, upon a proper showing by affidavit of the materiality of the witness's evidence,  
26 endorses the subpoena for service. (Pen. Code, § 1330.)

27 Mr. Dickerman resides at an address in Los Angeles, California 90035. He wishes  
28 his residence address to remain confidential. Using his residence address and accessing the

////

1 MapQuest" website on the Internet ([www.mapquest.com](http://www.mapquest.com)),<sup>3</sup> the undersigned determined Mr.  
2 Dickerman's residence is 166.63 miles from the Superior Court in Santa Maria, or 154.72 miles  
3 if one proceeds over State Route 154.

4 Ms. Ventura resided at [REDACTED] when her  
5 daughter was served with a subpoena. "Mapquest" reports the distance between that address  
6 and the courthouse in Santa Maria as 163.29 miles; or 151.39 miles via State Route 154.

7 Neither of the subpoenas in question was judicially endorsed as required in the  
8 circumstances. They are ineffective.

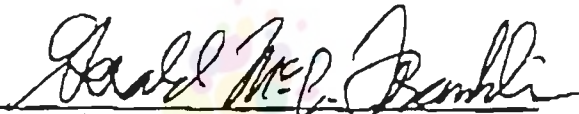
9 CONCLUSION

10 For each of the reasons discussed above, the subpoenas for the attendance of Janet  
11 Ventura and William Dickerman should be quashed.

12 DATED: July 23, 2004

13 Respectfully submitted,


14 THOMAS W. SNEDDON, JR.  
15 District Attorney

16 By:   
17 Gerald McC. Franklin, Senior Deputy

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26 <sup>3</sup> We respectfully ask the court to take judicial notice of the distances pursuant to Evidence Code  
27 section 452, subdivisions (g) and (h) and section 454, subdivision (a)(1), utilizing Mapquest as the  
28 source of that information. A researcher who accesses LexisNexis and types in the word "Mapquest"  
will discover that a number of appellate courts and federal trial courts utilize that source for such  
information quite routinely.



EXHIBIT "A"

ATTORNEY OR PARTY WITHOUT ATTORNEY (please print name) <b>COLLINS MESEREAU REDDOCK &amp; YU</b> 1076 Century Park East, 7th Floor Los Angeles, CA 90087	TELEPHONE NO. 310-284-3120	FOR COURT USE ONLY
ATTORNEY FOR: <b>Michael Joseph Jackson</b>		
<small>(courtroom, judge, judicial branch or branch court, if any, and paid clerk and other personnel)</small> <b>Santa Barbara Superior Court - Cook Division</b> <b>312 East Cook Street</b> <b>Santa Maria, CA</b>		
Title of case: <b>People v. Michael Joseph Jackson</b>		
SUBPENA (CRIMINAL OR JUVENILE)		CASE NAME OR NO. <b>1133DCS</b>
<input type="checkbox"/> DATES TRUMP		

THE PEOPLE OF THE STATE OF CALIFORNIA TO NAME:

**Jarvis Ayles AKA JESSIE JACKSON**

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action at the date, time, and place shown in the box below UNLESS you make a specific agreement with the person named in Item 3:

a. Date: <b>July 27, 2004</b>	Time: <b>8:30 a.m.</b> <input checked="" type="checkbox"/> DEPT: <b>2</b> <input checked="" type="checkbox"/> PM: <b>Cook</b> <input type="checkbox"/> Room:
b. Address: <b>312 East Cook Street</b> <b>Santa Maria, CA</b>	OR the Department where <b>Judge Rodney Melville is sitting</b>

## 2. AND YOU ARE

- a. ☒ ordered to appear in person.
- b. ☐ not required to appear in person if you produce the records described in the accompanying affidavit and a completed declaration of custody of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose your original declaration with the records. Seal them. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number, your name and address, time, and place from Item 1 (the box above). (3) Place this flat envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in Item 1. (4) Mail a copy of your declaration to the attorney or party shown at the top of this form.
- c. ☐ ordered to appear in person and to produce the records described in the accompanying affidavit. The personal attendance of the custodian of other qualified witnesses and the production of the original records is required by this subpoena. The procedure authorized by subdivision (c) of section 1560, and sections 1561 and 1562, of the Evidence Code will not be deemed sufficient compliance with this subpoena.
- d. ☐ ordered to make the original business records described in the accompanying affidavit available for inspection at your business address by the attorney's representative and to permit copying of your business address under reasonable normal business hours, conditions during normal business hours.
3. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:
- a. Name: **Eric Mason/Robert Tryon**
- b. Telephone number: **610-855-1700/805-862-4487**
4. WITNESS FEES: You may be entitled to witness fees, mileage, or both, in the discretion of the court. Contact the person named in Item 3 AFTER your appearance.

DISOBEDIENCE OF THIS SUBPENA MAY BE PUNISHED BY A FINE, IMPRISONMENT, OR BOTH. A WARRANT MAY ISSUE FOR YOUR ARREST IF YOU FAIL TO APPEAR.

FOR COURT USE ONLY	Date: <b>July 13, 2004</b>	 <small>(Signature of Person Issuing Subpoena)</small> <b>NORMAN M. SIROCCO</b> <small>(TITLE OR PRINT NAME)</small> <b>Attorney For Defendant</b> <small>mtls</small>
<small>(See reverse for proof of service)</small>		

Form adopted by Rule 882  
Judicial Branch of California  
Last altered March 2000 (1/1997)

**SUBPENA**  
**(CRIMINAL OR JUVENILE)**

Printed form. 1. Title of case.  
2. Name of person to whom served. 3. Date of issue.

BOOK ACCORDING TO RULE 882

SHORT TITLE: People v. Michael Joseph Jackson	CASE # NUMBER: 7733803
--	---------------------------

### PROOF OF SERVICE OF SUBPENA

1. I served this ☐ Subpoena ☐ Subpoena Duces Tecum and supporting affidavit by personally delivering a copy to the person served as follows:

a. Person served (name):

b. Address where served:

c. Date of delivery:

d. Time of delivery:

2. I received this subpoena for service on (date):

### 3. ☐ NON-SERVICE RETURN OF SUBPENA

a. ☐ After due search, careful inquiry, and diligent attempts at the dwelling house or usual place of abode or usual place of business, I have been unable to make personal delivery of this ☐ Subpoena ☐ Subpoena Duces Tecum in this county on the following persons (specify):

b. Reasons:

(1) ☐ Unknown at address.

(2) ☐ Moved, forwarding address unknown.

(3) ☐ No such address.

(4) ☐ Out-of-county address.

(5) ☐ Unable to serve by hearing case.

(6) ☐ Other reasons (explanation required):

### 4. Person serving:

a. ☐ Not a registered California process server.

b. ☐ California sheriff, marshal, or constable.

c. ☐ Registered California process server.

d. ☐ Employee or independent contractor of a registered California process server.

e. ☐ Exempt from registration under Bus. & Prof. Code section 22850(a).

f. Name, address, and telephone number and, if applicable, county of registration and number:

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

Date:

(For California sheriff, marshal, or constable use only)  
I certify that the foregoing is true and correct.

Date:

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
SIGNATURE

Revised June January 1, 1991

PROOF OF SERVICE OF SUBPENA  
(CRIMINAL OR JUVENILE)

Page 200

EXHIBIT "B"



07/19/2004 14:21 FAX 8068637311

SANDER &amp; SPYSEN

07/038

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) <b>COLLINS MEIERREAU REDDOCK &amp; YU</b> 1875 Century Park East, 7th Floor Los Angeles, CA 90067		TELEPHONE NO. 310-384-3120	COURT CASE NO. (FILE NO.)
ATTORNEY FOR: <b>Michael Joseph Jackson</b>			
Name of court, judge or clerk, if any, and full office and street address <b>Santa Barbara Superior Court - Cook Division</b> 312 East Cook Street Santa Maria, CA			
Title of case <b>People v. Michael Joseph Jackson</b>			
SUBJECT (CRIMINAL OR JUVENILE) <input checked="" type="checkbox"/> <b>CRIMINAL</b>		CASE NUMBER <b>1155003</b>	

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (NAME):

William Dickerman

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action at the date, time, and place shown in the box below UNLESS you make a special agreement with the person named in Item 3:

a. Date: <b>July 27, 2004</b>	Time: <b>8:30 a.m.</b>	<input checked="" type="checkbox"/> Dept.: <b>2</b>	<input checked="" type="checkbox"/> Div.: <b>Cook</b>	<input type="checkbox"/> Room:
b. Address: <b>312 East Cook Street</b> <b>Santa Maria, CA</b>		OR the Department where <b>Judge Robert Martinez is sitting</b>		

## 2. AND YOU ARE

- a. ☒ ordered to appear in person.
- b. ☐ not required to appear in person if you produce the records described in the accompanying affidavit and a completed declaration of custodian of records in compliance with Evidence Code sections 1500, 1591, 1592, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose your original declaration with the records. Seal them. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number, your name and date, time, and place from Item 1 (the box above). (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in Item 1. (4) Mail a copy of your declaration to the attorney or party shown at the top of this form.
- c. ☒ ordered to appear in person and to produce the records described in the accompanying affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records is required by this subpoena. The procedure authorized by subdivision (b) of section 1592, and sections 1591 and 1592, of the Evidence Code will not be deemed sufficient compliance with this subpoena.
- d. ☐ ordered to make the original business records described in the accompanying affidavit available for inspection at your business address by the attorney's representative and to permit copying at your business address under reasonable normal business hours, conditions during normal business hours.
3. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:
- a. Name: **Eric Mason/Robert Tryon**
- b. Telephone number: **810-868-7700/806-852-4887**
4. WITNESS FEE: You may be entitled to witness fees, mileage, or both, in the discretion of the court. Contact the person named in Item 3 AFTER your appearance.

DISOBEYANCE OF THIS SUBPOENA MAY BE PUNISHED BY A FINE, IMPRISONMENT, OR BOTH. A WARRANT MAY BE ISSUED FOR YOUR ARREST IF YOU FAIL TO APPEAR.

JURY COURT USE ONLY	Date: <b>July 19, 2004</b>	 (Type or print name of person issuing subpoena) <b>Robert M. Bender</b> (Type or print name) <b>Attorney For Defendant</b> (Title)
	(Sign reverse for proof of service)	

Form prepared by rule 602  
 Judicial Council of California  
 effective January 1, 1991

SUBPOENA  
 (CRIMINAL OR JUVENILE)

Form 602, § 1591 et seq.  
 Welfare and Institutions Code, §§ 261, 262, 177a

www.courtsonline.com

07/13/2004 14:21 FAX 8059337311

SANGER &amp; SVYSEN

008/008

AFFIDAVIT IN SUPPORT OF SUBPOENA DUCES TECUM

I, Robert M. Sanger, declare:

I am an attorney at law duly licensed to practice before the courts of the State of California.

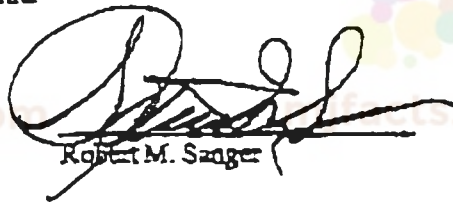
I am co-counsel for the defendant herein, Michael Joseph Jackson.

William Dickerman is an attorney relevant to the above entitled case. He has information relevant to the issues to be litigated during the Motion to Suppress Pursuant to Penal Code Section 1538.5 and Non-statutory Grounds (Part I) Filed Under Seal.

Said items include, but are not limited to: All interviews, notes, reports, or other writings, photographs or videos, regardless of whether they are written, recorded or preserved in some other form relating to Janet Arvizo, Mark Geragos, Dan Nixon or Bradley Miller.

These items described are not available except by the process of the court.

I declare under penalty of perjury that the foregoing is true and correct and was executed on July 13, 2004, at Santa Barbara, California.



Robert M. Sanger

EXHIBIT "C"

From: Ron Zonen  
To: Sanger, Robert  
Date: 7/19/04 10:56AM  
Subject: Janet Ventura's subp.

Bob,

I spoke with Janet Ventura last night. She advised me that her daughter was given a subpoena on her behalf directing Janet's appearance in court on the 27th. Assuming serving Janet's daughter in Janet's home is proper service of Janet would you please answer the following questions:

1. As to which pending motion scheduled for the 27th do you anticipate Janet's testimony will be relevant?
2. On what subject do you intend to question her?
3. What do you expect she will say?

Thank you for your kind consideration. Please respond as soon as possible. We will need to let Judge Melville know what to expect prior to our conference call on the 23rd.

Sincerely,  
Ron Zonen

CC: AuchIncloss, Gordon; Franklin, Gerald





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**EXHIBIT "D"**

Dear Mr. Zonen:

This is in response to your email regarding Janet Arvizo. Janet Arvizo was personally served. Two licensed process servers will be available on July 27th in Court to testify to this fact.

Witness Janet Arvizo tried to use a false name and is now trying to lie about service. This will become clear during testimony.

Ms. Arvizo was subpoenaed to be a witness at the hearing on the illegal break-in and search of investigator Brad Miller's office. The police reports, search warrants and Grand Jury testimony explain her direct relevance to this hearing.

Sincerely

Thomas A. Mesereau

-  
Susan C. Yu, Esq.  
COLLINS, MESEREAU, REDDOCK & YU, LLP  
1875 Century Park East, 7th Floor  
Los Angeles, CA 90067  
Tel: (310) 284-3120  
Fax: (310) 284-3133  
[www.cmrylaw.com](http://www.cmrylaw.com)

THE INFORMATION CONTAINED IN THIS EMAIL MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE AND MAY CONTAIN IMPORTANT OR TIME-SENSITIVE INFORMATION. IT MAY ALSO INCLUDE CONFIDENTIAL, PROPRIETARY OR OTHERWISE PROTECTED INFORMATION, AND THE PRIVILEGES ARE NOT WAIVED BY VIRTUE OF THIS HAVING BEEN SENT BY EMAIL IF THE PERSON ACTUALLY RECEIVING THIS EMAIL OR ANY OTHER READER OF THE EMAIL IS NOT THE NAMED RECIPIENT, ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA EMAIL. THANK YOU.

Quoting Ron Zenon [REDACTED]

- > Susan,
- > Bob Sanger asked that I send a copy of this e-mail to you as well.
- > RZ
- >
- > Bob,
- > I spoke with Janet Ventura last night. She advised me that her daughter was given a subpoena on her behalf directing Janet's appearance in court on the 27th. Assuming serving Janet's daughter in Janet's home is proper service of Janet would you please answer the following questions:
- >
- > 1. As to which pending motion scheduled for the 27th do you anticipate Janet's testimony will be relevant?
- > 2. On what subject do you intend to question her?
- > 3. What do you expect she will say?
- >
- > Thank you for your kind consideration. Please respond as soon as possible. We will need to let Judge Malville know what to expect prior to our conference call on the 23rd.
- >
- > Sincerely,
- > Ron Zenon
- >
- >

**EXHIBIT "E"**



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) <b>THOMAS A. MESEREAU, JR. (91182)</b> Collins, Mesereau, Reddock & Yu, LLP 1875 Century Park East, Suite 700 Los Angeles, CA 90067 ATTORNEY FOR: Michael Joe Jackson		TELEPHONE NO. (310) 284-3120	FOR COURT USE ONLY
COURT NAME (If court, judge, clerk or other court officer, and court address and street address) Santa Barbara County Superior Court, Santa Maria Division 312 E. Cook Street (Dept. SM-2: Judge Rodney McVillo) Santa Maria, CA 93454			
Title of case The People of the State of California v. Michael Jackson, et al.			
SUBPENA (CRIMINAL OR JUVENILE) <input type="checkbox"/> JUCES TECUM		CASE NUMBER 1133603	

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (NAME):

Dr. Stanley Katz, 9401 Wilshire Blvd., #730, Beverly Hills, CA 90212. Tel: (310) 275-3848

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action at the date, time, and place shown in the box below UNLESS you make a special agreement with the person named in item 3:

a. Date: July 27, 2004	Time: 8:30 a.m.	<input checked="" type="checkbox"/> Dept: SM-2	<input type="checkbox"/> Div:	<input type="checkbox"/> Room:
b. Address: 312 E. Cook Street, Dept. SM-2 (Judge Rodney McVillo)		OR the Department in which Judge McVillo may be Presiding		
Santa Maria, CA 93454				

2. AND YOU ARE

- a. ☐ ordered to appear in person.  
 b. ☐ not required to appear in person if you produce the records described in the accompanying affidavit and a completed declaration of custody of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose your original declaration with the records. Seal them. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number, your name and date, time, and place from item 1 (the box above). (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4) Mail a copy of your declaration to the attorney or party shown at the top of this form.  
 c. ☒ ordered to appear in person and to produce the records described in the accompanying affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records is required by this subpoena. The procedure authorized by subdivision (b) of section 1560, and sections 1561 and 1562, of the Evidence Code will not be deemed sufficient compliance with this subpoena.  
 d. ☐ ordered to make the original business records described in the accompanying affidavit available for inspection at your business address by the attorney's representative and to permit copying at your business address under reasonable normal business hours conditions during normal business hours.

3. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:

a. Name: Susan C. Yu, Esq.

b. Telephone number: (310) 284-3120

4. WITNESS FEES: You may be entitled to witness fees, mileage, or both, in the discretion of the court. Contact the person named in item 3 AFTER your appearance.

DISOBEDIENCE OF THIS SUBPENA MAY BE PUNISHED BY A FINE, IMPRISONMENT, OR BOTH. A WARRANT MAY ISSUE FOR YOUR ARREST IF YOU FAIL TO APPEAR.

FOR COURT USE ONLY Date: July 19, 2004 _____ SIGNATURE OF PERSON ISSUING SUBPENA THOMAS A. MESEREAU, JR. TYPE OR PRINT NAME Attorney for Michael J. Jackson mta	(See reverse for proof of service)
--	------------------------------------

Form Approved by Rule 22  
 Judicial Council of California  
 0024(14) (Rev. January 1, 1991)

SUBPENA  
 (CRIMINAL OR JUVENILE)

Unlawful Code, § 1203.01, and  
 Welfare and Institutions Code, §§ 261, 264, 1707

www.judicialbranch.org

SHORT TITLE: People v. Michael Jackson, et al.	CASE NUMBER: 1133503
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## PROOF OF SERVICE OF SUBPENA

1. I served this ☒ Subpena ☐ Subpena Duces Tecum and supporting affidavit by personally delivering a copy to the person served as follows:

a. Person served (name):

b. Address where served:

c. Date of delivery:

d. Time of delivery:

2. I received this subpoena for service on (date):

3. ☐ NON-SERVICE RETURN OF SUBPENA

a. ☐ After due search, careful inquiry, and diligent attempts at the dwelling house or usual place of abode or usual place of business, I have been unable to make personal delivery of this ☐ Subpena ☐ Subpena Duces Tecum in this county on the following person(s) (specify):

b. Reason:

(1) ☐ Unknown at address.

(2) ☐ Moved, forwarding address unknown.

(3) ☐ No such address.

(4) ☐ Out-of-county address.

(5) ☐ Unable to serve by hearing date.

(6) ☐ Other reasons (explanation required):

4. Person serving:

a. ☐ Not a registered California process server.

b. ☐ California sheriff, marshal, or constable.

c. ☐ Registered California process server.

d. ☐ Employee or independent contractor of a registered California process server.

e. ☐ Exempt from registration under Bus. & Prof. Code section 22350(b).

f. Name, address, and telephone number and, if applicable, county of registration and number:

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

Date:

Date:

(For California sheriff, marshal, or constable use only)  
I certify that the foregoing is true and correct.

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(SIGNATURE)



1 usable form. Any comment or notation appearing on any document, and not a part of  
2 the original text, is considered a separate document and any copy, draft, or preliminary  
3 form of any document is also considered a separate document.

4 b. As used herein, the term "DOCUMENT" is intended to include  
5 within its scope each and every "ORIGINAL" (as the term is defined in California  
6 Evidence Code Section 255), and each and every "DUPLICATE" (as the term is  
7 defined in Evidence Code Section 260), of each and every "WRITING" (as the term is  
8 defined in California Evidence Code § 250) described in the requests set forth below.

9 c. As used herein, the "COMPLAINANTS" refers to Janet Arvizo,  
10 aka Janet Ventura, Gavin Arvizo, Star Arvizo, or any person who accompanied these  
11 individuals during any interview, therapy session, or discussion you had with these  
12 named individuals, jointly or severally. The term "COMPLAINANTS" refers to all the  
13 individuals mentioned in this paragraph individually, whether or not the names of the  
14 others persons identified in this paragraph appear or are mentioned in the  
15 DOCUMENT. The term "COMPLAINANTS" also include present and former  
16 attorneys, agents, representatives, and any other persons acting on behalf of  
17 COMPLAINANT.

18 d. As used herein, the "COMPLAINT" refers to the reports, claims,  
19 or allegations made by the COMPLAINANTS regarding Mr. Michael Jackson, which  
20 was made to you, or which you have made to any law enforcement agency or personnel  
21 at any time.

22 e. "YOU" or "YOURS" refers to Stanley J. Katz, and all of his  
23 agents, representatives, employees, attorneys, or any person acting on his behalf.

24 f. As used herein, "PERSON" or "PERSONS" means any natural  
25 individual in any capacity whatsoever, and all entities of every description, including,  
26

27 

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DECLARATION OF OF THOMAS A. MESEREAU, JR.  
IN SUPPORT OF SUBPENA TO STANLEY KATZ FOR APPEARANCE  
AND PRODUCTION OF RECORDS AT THE JULY 27, 2006 HEARING  
28



1 but not limited to, associations, organizations (public or private), agencies, companies.  
2 partnerships, joint ventures, corporations, and trusts.

3 f. As used herein, "REPRESENTATIVE" or  
4 "REPRESENTATIVES" means any person (as defined herein) who acts, has at any  
5 time acted, or has purported to act, at the request of, for the benefit of, or on behalf of  
6 another, including, but not limited to, the parents, guardians, or agents of  
7 COMPLAINANT.

8 g. As used herein, the term "COMMUNICATION" is to be  
9 interpreted comprehensively, and means any instance in which information was  
10 exchanged between or among two or more persons, including any oral or written  
11 utterance, notation, or statement of any nature whatsoever, by and to whomsoever  
12 made, and all understanding or exchanges of information between or among two or  
13 more persons.

14 h. As used herein, the term "CORRESPONDENCE" means any  
15 handwritten, printed, typed, or otherwise recorded communication whatsoever between  
16 or among two or more persons, and includes, without limitation, memoranda, letters,  
17 notes, telegrams, telexes, facsimile transmissions, email records, and marginal  
18 notations or comments.

19 4. DOCUMENTS TO BE PRODUCED:

20 a. All DOCUMENTS constituting, evidencing, concerning,  
21 discussing or mentioning the COMPLAINANT.

22 b. All DOCUMENTS constituting, evidencing, concerning,  
23 discussing or mentioning the identity of the COMPLAINANTS.

24 c. All DOCUMENTS constituting, evidencing, concerning,  
25 discussing or mentioning attorney Gloria Rachel Allred, whose California State Bar

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DECLARATION OF OF THOMAS A. MESEREAU, JR.  
28 IN SUPPORT ON SUBPENA TO STANLEY KATS FOR APPEARANCE  
AND PRODUCTION OF RECORDS AT THE JULY 27, 2004 HEARING

1 Number is 65033, as they relate to the COMPLAINANT and/or the COMPLAINTS.

2 (4) All DOCUMENTS constituting, evidencing, concerning,  
3 discussing or mentioning attorney Larry Robert Feldman, whose California State Bar  
4 Number is 45126, as they relate to the COMPLAINANT and/or the COMPLAINTS.

5 d. All DOCUMENTS constituting, evidencing, concerning,  
6 discussing or mentioning psychiatrist Carol Lieberman, M.D., as they relate to the  
7 COMPLAINANT and/or the COMPLAINTS.

8 e. All DOCUMENTS constituting, evidencing, concerning,  
9 discussing or mentioning Jay Jackson, whom Janet Ventura Arvizo Jackson recently  
10 married, as they relate to the COMPLAINANT and/or the COMPLAINTS.

11 f. All DOCUMENTS constituting, evidencing, concerning,  
12 discussing or mentioning William Dickenson, whose California State Bar Number is  
13 76237, as they relate to the COMPLAINANT and/or the COMPLAINTS.

14 g. All DOCUMENTS constituting, evidencing, concerning,  
15 discussing or mentioning Mr. Michael Jackson.

16 h. All physical evidence as it relates to the COMPLAINT and/or the  
17 COMPLAINANTS;

18 i. The following specific DOCUMENTS, as they relate to the  
19 COMPLAINANTS and/or the COMPLAINT:

20 (1) All medical records as they relate to the COMPLAINT  
21 and/or COMPLAINANTS, including but not limited to interview notes, transcripts,  
22 patient information sheets, personal inventories, histories, medical histories, visual  
23 evaluations, doctors notes, nurses notes, allied medical personnel statements and notes,  
24 tests administered, evaluations, interviews, consultations, and examinations;

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27 

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DECLARATION OF CP THOMAS A. MESSEAU, JR.  
IN SUPPORT OF SUBPENA TO STANLEY KATS FOR APPEARANCE  
AND PRODUCTION OF RECORDS AT THE JULY 27, 2006 HEARING  
28

1 (2) Material reviewed, consulted, or relied upon in diagnosing,  
2 assessing, or treating COMPLAINANTS and/or as they relate to the COMPLAINT,  
3 including but not limited to, research, books consulted, treatises consulted, medical  
4 records, medical histories, opinions of other physicians, news articles, or any other  
5 document assisting in forming your opinion relating to COMPLAINANTS and/or the  
6 COMPLAINT.

7 (3) Correspondence, letters, discussions, notes, memoranda,  
8 and other communications as they relate to the COMPLAINT and/or the  
9 COMPLAINANTS, including but not limited to, communications with other  
10 physicians, lawyers, the Department of Children Protective Services, Department of  
11 Children and Family Services, Department of Social Services, Santa Barbara Sheriffs  
12 Department, Los Angeles Police Department, all other federal, local, state agencies,  
13 and any person, business, or other entity;

14 (4) Prescribed medications, diagnostic procedures, therapies  
15 administered, drugs utilized, and treatments administered as they relate to the  
16 COMPLAINT and/or the COMPLAINANTS;

17 (5) Billings, requests for payment, receipts for payments,  
18 reimbursements, bank deposits, copies of cancelled checks, and receipt of all things of  
19 valuable consideration, whether given by the COMPLAINANTS or any persons acting  
20 on their behalf, as they relate to the COMPLAINT and/or COMPLAINANTS;

21 (6) All payments or transfers of consideration made to you by  
22 any of the following persons from January 1, 2003 through the present, including  
23 copies of all cancelled checks, bank deposits, and receipts for payment:

24 (a) COMPLAINANTS;

25 (b) Gloria Allred;

26  
27 

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DECLARATION OF OF THOMAS A. MESEBAU, JR.  
28 IN SUPPORT OF SUBPENA TO STANLEY KATS FOR APPEARANCE  
AND PRODUCTION OF RECORDS AT 1112 JULY 27, 2004 HEARING

- 1 (c) William Dickerman;  
2 (d) Larry Feldman;  
3 (e) Carol Lieberman;  
4 (f) Thomas Sneddon;  
5 (g) Any federal, state or county agency or entity, as  
6 it/they relates/relate to the COMPLAINT and/or COMPLAINANTS:  
7 (h) Any third party payor;  
8 (i) Any person, business, or other entity.  
9 (g) Video or audio tape recordings, computer or digital  
10 voice records, and any photographic images as they relate to the COMPLAINT and/or  
11 COMPLAINANTS:  
12 (h) Telephone notes, telephone logs, message books,  
13 message slips or other records regarding telephone calls from any person, business, and  
14 other entity as they relate to the COMPLAINT and/or the COMPLAINANTS;  
15 (i) Telephone records, bills, and phone company  
16 printouts showing telephone calls to or from COMPLAINANTS, any person acting on  
17 behalf of COMPLAINANTS, Larry Feldman, William Dickerman, Thomas Sneddon,  
18 Gloria Alred, Carol Lieberman, M.D. any social service or child protective service  
19 agency, and any law enforcement personnel as they relate to the COMPLAINT and/or  
20 the COMPLAINANTS  
21 (j) Reports, communications, or correspondence to or  
22 from the Department of Child Protective Services, Department of Social Services,  
23 Department of Children and Family Services, and any state or local agency as they  
24 related to the COMPLAINT and/or the COMPLAINANTS;  
25  
26

27 DECLARATION OF OF THOMAS A. MESORIAN, JR.  
28 IN SUPPORT OF SUBPENA TO STANLEY KATS FOR APPEARANCE  
AND PRODUCTION OF RECORDS AT THE JULY 27, 2004 HEARING



1 (k) Curriculum Vitae, biography, and resume for Stanley

2 Katz;

3 (l) All DOCUMENTS notes, memoranda,

4 correspondence, or communications evidencing your visit to or discussions with L.A.  
5 County Child Protective Services on June 12, 2003, or any other date, as they relate to  
6 the COMPLAINT and/or the COMPLAINANTS, including but not limited to,  
7 communications with Mr. Summers, Mr. Sanders, or any other person, business, or  
8 other entity associated with such entity, and DOCUMENTS which identify or mention  
9 persons who accompanied you on such visits;

10 (m) All DOCUMENTS, notes, memoranda,

11 correspondence, or communications concerning or relating to Bradley Miller, or any  
12 association you have with him;

13 (n) All DOCUMENTS constituting, evidencing,

14 concerning, discussing or mentioning, either directly or indirectly, the case of People  
15 of the State of California v. Michael Jackson, Santa Barbara County Superior Court  
16 Case No. 1133603.

17 5. The above documents are material to the issues involved in the case by  
18 reason of the following facts:

19 a. The information sought will lead to witness, documents, and  
20 discoverable evidence that will show the claims made in the Pending Criminal Case in  
21 the Santa Barbara Superior Court are unfounded.

22 b. The information sought by this subpoena will disclose motives,  
23 biases, and exaggerations on behalf of and engaged in by Witness Katz and  
24 COMPLAINANTS;

25 c. The information sought contains information regarding the  
26

27 

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DECLARATION OF OF THOMAS A. MESEREAU, JR.  
28 IN SUPPORT OF SUBPOENA TO STANLEY KATZ FOR APPEARANCE  
AND PRODUCTION OF RECORDS AT THE JULY 27, 2006 HEARING

1 background, motives, state of mind, character and reputation for veracity, and reports  
2 of COMPLAINANTS.

3 d. The requested documents and/or information contains the prior  
4 inconsistent statements, recollections, observations, and reactions of  
5 COMPLAINANTS in the events and circumstances which gave rise to the Pending  
6 Criminal Case in the Santa Barbara Superior Court;

7 e. The requested materials constitute the faulty perception, inability to  
8 perceive, errors, and mistakes of Witness Katz and COMPLAINANTS;

9 6. Good cause exists for the production of the above described matters and  
10 things by reason of the following facts:

11 a. Stanley Katz is the sole and exclusive source of all such  
12 information, and no other person, business, or other entity has possession or control of  
13 such information.

14 b. The information requested by this Subpoena discloses the motive,  
15 intent, and conscious state of mind of persons making claims in the Santa Barbara  
16 Superior Court, along with persons directing, counseling and controlling the  
17 complainants in the Santa Barbara Superior Court action.

18 c. No other source exists for such information because such  
19 disclosures were made only to Witness Stanley Katz, and the only person with such  
20 information is Witness Stanley Katz.

21 I declare under penalty of perjury under the laws of the State of California that  
22 the foregoing is true and correct and that this declaration was executed on this 14 day  
23 of July 2004, at Los Angeles, California.

24  
25   
26 THOMAS A. MESEREAU, JR.

27 DECLARATION OF OF THOMAS A. MESEREAU, JR.  
28 IN SUPPORT OF SUBPENA TO STANLEY KATZ FOR ATTENDANCE  
AND PRODUCTION OF RECORDS AT THE JULY 27, 2004 HEARING

**EXHIBIT "F"**

1                   DECLARATION OF WILLIAM DICKERMAN IN SUPPORT OF  
2                   MOTION TO QUASH SUBPOENA DUCES TECUM

3  
4           I, WILLIAM DICKERMAN, declare as follows:

5  
6           1. I am an active member of the California State Bar. I know  
7 the following facts of my own personal knowledge, and if called as  
8 a witness I could and would competently testify thereto under  
9 oath.

10  
11          2. I served as an attorney for Janet Arvizo and Gavin Arvizo  
12 from about February 2003 until about October 2003.

13  
14          3. On July 16, 2004 at 11:55 a.m. I was served with a one-  
15 page, one-sided form document entitled "Subpena (Criminal or  
16 Juvenile)" in this case. Exhibit A hereto is a true copy of what  
17 I was handed by a young woman who called herself "Tiffany." She  
18 was accompanied by a second young woman. I immediately perused  
19 the document. No affidavit or other document or thing accompanied  
20 the subpoena.

21  
22          4. On July 19 the receptionist in my office suite informed  
23 me that "Tiffany" had left with her what "Tiffany" had said were  
24 "my copies." When I went out to the reception room shortly  
25 thereafter, the receptionist gave me the subpoena plus a page  
26 entitled "Affidavit in Support of Subpoena Duces Tecum." A true  
27 copy is attached as Exhibit B. I never saw the "Affidavit" until  
28 July 19; it was not served with the subpoena on July 16.



1       5. When I read the subpoena shortly after receiving it on  
2 July 16, I noticed that it requires my appearance on July 27.  
3 That date is extremely inconvenient for me because I am scheduled  
4 to be in Canada (especially Toronto) for a long-planned vacation  
5 from July 25 through August 2, with my three young children (ages  
6 13, 13, and 9). The vacation includes a second family of parents  
7 and children who have been expecting my family, and planning the  
8 joint vacation, for a long time. Our plane tickets were purchased  
9 before the subpoena was served. The tickets are not exchangeable  
10 or refundable. The hotel has been reserved for several weeks.

11  
12       6. July 27 is an especially difficult day for me to travel  
13 or appear for religious reasons. I am an observant Jew, and July  
14 27 is the holy day of Tisha b'Av, on which Jews commemorate the  
15 destruction of both Holy Temples in Jerusalem, as well as other  
16 calamities that have befallen the Jews through the ages. The day  
17 is observed by spending the preceding evening, and the morning  
18 through early afternoon of July 27, in the synagogue, and by a  
19 complete fast (no food or drink) between sunrise and an hour after  
20 sunset on July 27. I observe this holy day every year, and plan  
21 to do so with my children in Toronto this year. I would not be  
22 able to observe the holiday in any manner were I required to  
23 appear in court on July 27.

24  
25       7. Because of these problems, I proceeded at my earliest  
26 opportunity to try to change the date or manner of my appearance.  
27 Thus in the afternoon of July 16 I phoned the Moserau firm, which  
28 had issued the subpoena. I left a message on the "general

1 voicemail-box" and asked for a return call. As of 3:30 p.m. on  
2 July 20, no one has returned the call. At 3:48 p.m. on July 19,  
3 after receiving from the receptionist (but not being personally  
4 served with) the second copy of the subpoena, this time with the  
5 "Affidavit," I phoned the attorney who had signed the subpoena and  
6 affidavit, Robert Sanger, at the Meserau firm. The receptionist  
7 said she didn't know who he was, but I left a detailed message for  
8 Mr. Meserau about my conflicts and asked for a return call. On  
9 July 19 at 6:07 p.m. I left another message for him, asking him to  
10 call me as soon as possible. As of 3:30 p.m. on July 20, he has  
11 not returned either call.  
12

13 8. At 6:09 on July 20, after having finding a phone number  
14 for Mr. Sanger in Santa Barbara, I phoned him and was told he was  
15 "out of the office." At 9:30 a.m. on July 20 I received a call  
16 from Eric Mason, who said he was Mr. Sanger's "investigator." I  
17 told him about my conflicts, and he said, "I'm sure we can work  
18 something out." Attorney Steve Cochran phoned me at 10:37 the  
19 same day and said, "I want to work with you about your religious  
20 observance and vacation." I told him I was willing to be deposed  
21 or to make other arrangements, and that there was not much I could  
22 tell or give him since almost all of my knowledge and documents  
23 are protected by the attorney-client and work product privileges.  
24 He told me of the planned phone conference among counsel and the  
25 Court on July 23, and said he would bring up my conflicts. I told  
26 him I needed to know something before that. I followed up with a  
27 call to him at 11:35, to ask for his commitment to get appropriate  
28 information and documents from me in some other way. He was not

1 there, so I left word with the receptionist. I have not heard  
2 from him as of 3:30 p.m. July 20.

3  
4 9. My latest attempt to resolve my conflicts was to speak to  
5 the Court's clerk around 2 p.m. on July 20. I asked whether, due  
6 to the few days remaining before my vacation, I could bring an ex  
7 parte motion to quash or modify. She said I could not, since I am  
8 not a party. She suggested obtaining defense counsel's agreement  
9 to give the testimony/produce documents on a different date.

10  
11 10. Although I believe that the subpoena is invalid, for the  
12 reasons mentioned below, I am willing to give appropriate  
13 testimony and produce appropriate documents at a mutually  
14 agreeable time and place, pursuant to CCP §1987.1. I can do so by  
15 informal meeting or deposition (including by video), preferably in  
16 Los Angeles. Since the defense attorneys are located in Los  
17 Angeles, that should be convenient for them. I can make myself  
18 available on any weekday or Sunday (and most evenings) in August  
19 (after August 2, the day I am scheduled to return from vacation)  
20 or September, except for August 15-18 (when I am scheduled to be  
21 in New York) and September 15-17 and 24 (Jewish high holy days of  
22 Rosh Hashanah and Yom Kippur).

23  
24 11. I believe the subpoena is invalid for the following  
25 reasons:

26 a. It violates CCP §1987.5, which provides that "service  
27 of a subpoena duces tecum is invalid unless at the time of such  
28 service a copy of the affidavit...is served on the person served

1 with the subpoena...." As noted above, the subpoena was served  
2 alone on July 16, and the affidavit was delivered to my office  
3 receptionist--not served on me--on July 19.

4 b. It violates CCP §1987, which defines "service" of a  
5 subpoena as "delivering a copy...to the witness personally...."  
6 While the page entitled "Subpena" was given to me personally, the  
7 Affidavit was not, but was instead left with the receptionist.

8 c. It violates CCP §1985(b), which provides:

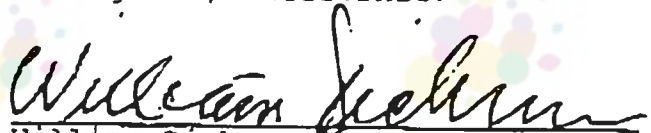
9 "A copy of an affidavit shall be served with a  
10 subpoena duces tecum issued before trial, showing  
11 good cause for the production of the matters and  
12 things described in the subpoena, specifying the  
13 exact matters and things desired to be produced,  
14 setting forth in full detail the materiality  
15 thereof to the issues involved in the case, and  
16 stating that the witness has the desired matters  
17 or things in his or her possession or under his or  
18 her control."

14 As noted previously, the affidavit was not served with the  
15 subpoena. Nor does the affidavit establish any cause, much less  
16 "good" cause; it states, conclusorily, only that I am "relevant to  
17 the above entitled case" and that I have "information relevant to  
18 the issues to be litigated during the Motion to Suppress...." Nor  
19 does the affidavit specify the exact matters to be produced,  
20 especially as it states that the "items" that I supposedly have  
21 "include, but are not limited to: All interviews, notes,  
22 [etc.]...." [emphasis added]. The statute requires specification  
23 of "exact matters and things to be produced," which the affidavit,  
24 by its own terms, does not do. Neither is there the slightest  
25 showing of "materiality" to the "issues involved in the case" of  
26 the things sought to be produced; rather, defense counsel seems to  
27 be engaged in a prohibited fishing expedition. In view of the  
28 indisputable fact that at all relevant times I was the Arvizos'



1 attorney, and since special care must be taken not to force or  
2 permit invasion of the attorney-client privilege, I respectfully  
3 submit that under such circumstances the statute's terms must be  
4 adhered to most carefully. Finally, the affidavit lacks the  
5 required statement that I have any of the requested documents or  
6 things are in my possession or under my control.

7  
8 I declare under penalty of perjury under the laws of the  
9 State of California that the foregoing is true and correct.  
10 Executed on July 20, 2004 at Los Angeles, California.

11  
12   
13 William Dickerman

**EXHIBIT "G"**

1 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY  
County of Santa Barbara  
2 By: RONALD J. ZONEN (State Bar No. 85094)  
Senior Deputy District Attorney  
3 J. GORDON AUCHINCLOSS (State Bar No. 150251)  
Senior Deputy District Attorney  
4 GERALD McC. FRANKLIN (State Bar No. 40171)  
Senior Deputy District Attorney  
5 1105 Santa Barbara Street  
Santa Barbara, CA 93101  
6 Telephone: (805) 568-2300  
FAX: (805) 568-2398

7  
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF SANTA BARBARA  
10 SANTA MARIA DIVISION  
11

12 THE PEOPLE OF THE STATE OF CALIFORNIA,  
13 Plaintiff,

14 v.

15 MICHAEL JOE JACKSON,

16 Defendant.

No. 1133603

DECLARATION OF RONALD  
ZONEN

17  
18 I, RONALD ZONEN, say:

19 1. I am a senior deputy district attorney assigned to the prosecution of the People v.  
20 Michael Joe Jackson, Santa Barbara Superior Court Case No. 1133603.

21 2. On Sunday evening July 18, 2004 Janet Ventura, (also known as Janet Arvizo  
22 and Janet Ventura Jackson) telephoned me to tell me that a subpoena had been delivered to her  
23 home in West Los Angeles requiring her attendance in Santa Maria Superior Court on July 27th.

24 3. Ms. Ventura told me the following:

25 -- She is 39 weeks pregnant and her delivery date is July 27th;

26 -- [REDACTED]

27 -- [REDACTED]

28 [REDACTED]

## DECLARATION OF RONALD ZONEN



EXHIBIT "H"

1 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY  
County of Santa Barbara  
2 By: RONALD J. ZONEN (State Bar No. 85094)  
Senior Deputy District Attorney  
3 J. GORDON AUCHINCLOSS (State Bar No. 150251)  
Senior Deputy District Attorney  
4 GERALD McC. FRANKLIN (State Bar No. 40171)  
Senior Deputy District Attorney  
5 1105 Santa Barbara Street  
Santa Barbara, CA 93101  
6 Telephone: (805) 568-2300  
FAX: (805) 568-2398

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF SANTA BARBARA  
10 SANTA MARIA DIVISION

12 THE PEOPLE OF THE STATE OF CALIFORNIA,  
13 Plaintiff,

14 v.

15 MICHAEL JOE JACKSON,

16 Defendant.

No. 1133603

DECLARATION OF STAN  
J. KATZ, Ph.D.

18 I, Stan J. Katz, Ph.D. say:

19 1. I am a licensed psychologist. I have been in practice 26 years, and I am currently  
20 practicing in Beverly Hills, California.

21 2. I was the psychologist who interviewed Gavin and Star Arvizu and determined  
22 that there was a reasonable suspicion to believe that Gavin had been molested by Michael  
23 Jackson. Pursuant to California's reporting laws I notified Los Angeles County Department of  
24 Child and Family Services of what I had learned.

25 3. On Wednesday, July 21 at 2:30 p.m. I was served with a subpoena duces tecum  
26 and an eight-page supporting declaration by a representative of Thomas Mesereau, attorney for  
27 defendant Michael Jackson, a copy of which I am informed will be attached as an exhibit the  
28 to the District Attorney's motion to quash the subpoena. The subpoena requires my attendance

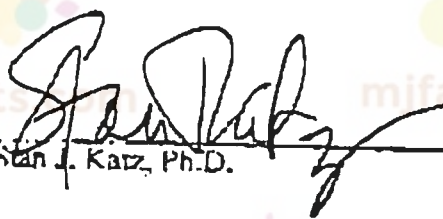
1 in court in Santa Maria on Tuesday morning, July 27, at 8:30 a.m. The eight page affidavit that  
2 accompanied requests the production of dozens of records, materials, notes, medical charts,  
3 notes or documentation of conversations or dealings with numerous individuals, payment  
4 records, billing records, bank deposits, cancelled checks, video tapes, audio tapes, photographs,  
5 telephone notes, logs, message books, telephone bills, correspondence, letters, my CV, my  
6 biography, my resume, all without regard to when the items were generated or whether or not  
7 they are currently in my possession.

8 4. Aside from my active practice I have a contract with NBC Enterprises and  
9 Bunim Murray Productions to appear as a psychologist on a weekly television series called  
10 "Starting Over." My contract requires my presence on the set many days a week. I worked  
11 many hours on the set on Wednesday, July 21 after receiving my subpoena. On Thursday the  
12 22nd I saw patients in my office from 9:00 a.m. to 5:00 p.m. I am scheduled to return to the set  
13 all day Friday, Monday and Tuesday, the day I have been subpoenaed to appear in court in  
14 Santa Maria. My absence from the set would be a significant inconvenience to those producing  
15 the program.

16 5. To properly respond to this subpoena, given the demands of my practice and my  
17 commitment with NBC Enterprises, would take no less than thirty days. Phone and bank  
18 records, not in my possession, could take longer to obtain.

19 6. I respectfully request that the subpoena for my appearance in court in Santa  
20 Maria with the records it calls for be quashed. If the Court determines that some or all of the  
21 documents, records and information the present subpoena duces tecum calls for are relevant in  
22 the circumstances, I respectfully that the Court direct Mr. Mescreau to cause an appropriately  
23 limited subpoena duces tecum to be served, with sufficient time for me to respond to it in a  
24 professional and civilized fashion, and that I be allowed the opportunity to reschedule patients  
25 and commitments before being compelled to attend a court proceeding.

26 I declare under penalty of perjury that the foregoing is true, except for matters stated  
27 upon my information and belief. As to those matters, I believe the foregoing is true. I execute  
28 this declaration at Studio City, California on July 23, 2004.

  
 Stan J. Katz, Ph.D.



1  
2  
3 **PROOF OF SERVICE**

4 STATE OF CALIFORNIA  
5  
6 COUNTY OF SANTA BARBARA

} SS

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

11 On July 23, 2004, I served the within PLAINTIFF'S MOTION TO QUASH  
12 SUBPOENAS ISSUED TO JANET VENTURA AND WILLIAM DICKERMAN, etc. on  
13 Defendant, by THOMAS A. MESEREAU, JR., STEVE COCHRAN, ROBERT SANGER, and  
14 BRIAN OXMAN by faxing a true copy to counsel (except Mr. Sanger and Mr. Oxman) at the  
15 facsimile number shown with the address of each on the attached Service List, and then by  
16 causing to be mailed a true copy to each counsel at that address (except Mr. Sanger, to whom a  
17 copy was delivered by hand).

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

19 Executed at Santa Barbara, California on this 23rd day of July, 2004.

20  
21 Gerald McC. Franklin

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