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27 Attorneys for Defendant
28 MICHAEL JOE JACKSON

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

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff,

vs.

MICHAEL JOE JACKSON

Defendant.

CASE NO. 1133603

MR. JACKSON'S REQUEST FOR
CLARIFICATION OF THE COURT'S
PROTECTIVE ORDER; DELCARATION OF
THOMAS A. MESEREAU, JR. IN SUPPORT
THEREOF

HEARING

DATE: AUGUST 16, 2004

TIME: 8:30 A.M.

Place: Dept. SM-2

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

JUL 26 2004

GARY M. BLAIR, Executive Officer
BY CAROL L. WICKEN, Deputy Clerk

1 Michael J. Jackson ("Mr. Jackson"), by and through his counsel, hereby respectfully
2 submits this request for clarification of the Court's January 23, 2004 Protective Order
3 ("Protective Order").

4 1.

5 **BASIS FOR SUBMITTING THIS REQUEST**

6 This Court's Protective Order provides, in pertinent part, that:

7 ... [N]o attorney connected with this case as Prosecutor or Defense Counsel
8 ... nor any persons subpoenaed or expected to testify in this matter, shall do
any of the following:

- 9 1. Release or authorize the release for public dissemination of any
10 purported extrajudicial statement of either the defendant or
witnesses relating to this case;
- 11 2. Release or authorize the release of any documents, exhibits,
12 photographs, or any evidence, the admissibility of which may have
to be determined by the Court;
- 13 3. Make any statement for public dissemination as to the existence or
14 possible existence of any document, exhibit, photograph or any
15 other evidence, the admissibility of which may have to be
determined by the Court . . .

16 (A true and correct copy this Protective Order is attached as Exhibit A to the declaration of
17 Thomas A. Mesereau, Jr. ("Mesereau Decl."))

18 On July 20, 2004, the District Attorney Tom Sneddon, according to the media,
19 attended the National District Attorneys Association summer conference in Vancouver,
20 Canada. According to an article published on July 21, 2004 by The Globe and Mail, a
21 Canadian newspaper, reporter Mr. Robert Matas, who, too, attended the conference,
22 quotes Mr. Sneddon as telling fellow prosecutors the following about this case:

23 "We sent letters to some people saying we intended to call them as witnesses
24 in order to keep them off TV."

25 (A true and correct copy of the July 21, 2004 article, retrieved from The Globe and Mail
26 website on the Internet, is attached as Exhibit B to the Mesereau Decl.)

27 Dan Abrams of MSNBC interviewed Mr. Matas live on July 21, 2004, and the
28 transcript of that interview provides the following statements by Mr. Matas:

1 ABRAMS: We're back. The lead prosecutor in the case against Michael Jackson
2 has been accused of having a vendetta against Jackson. And it's no
3 secret he hasn't been a big fan of the media coverage. But now D.A.
4 Tom Sneddon may be going too far to get the case presented his way.
5 Robert Matas of the national Canadian newspaper, "The Globe and
6 Mail" attended a closed-door meeting of the National District
7 Attorney's Association in Vancouver yesterday. There Sneddon lashed
8 out at the media and offered some advice on how he's kept some
9 people involved in the case from talking to the press.

10 According to Matas, Sneddon said—quote—"We sent letters to some
11 people saying we intended to call them as witnesses in order to keep
12 them off TV. And Sneddon even said, we were able to get some
13 lawyers, if not off, at least more restrained."

14 That one you're hearing—that last quote you are hearing here for the
15 first time. Matas wasn't able to include it in his article. Before we talk
16 about whether that is misconduct, reporter Robert Matas who broke
17 the story joins me now from Vancouver. Mr. Matas, thanks very much
18 for taking the time. We appreciate it.

19 ROBERT MATAS,
20 "GLOBE AND MAIL" REPORTER: Thank you.

21 ABRAMS: So put this into context for us. What was he speaking about when he
22 made these comments?

23 MATAS: Well, it was a summer conference for District Attorney's Association.
24 It was a very informal affair. It was about 200 district attorneys. They
25 were there in their jeans and shorts and T-shirts. It was a panel on
26 how to deal with the media in high-profile cases and there were some
27 other prosecutors that were also on the panel and his area for the time
28 that he was allotted was to speak about the Michael Jackson case and
how he handled it.

ABRAMS: And it seems from the way you wrote the article that even you seemed
a little surprised that he was that frank about it. I think you wrote—
after that quote you wrote something like he was quite frank about it
or in surprising fashion or something along those lines.

MATAS: Yes. Well, I was there because there was a prosecutor from a Canadian
case that was also on the panel. When I heard his comments, I went
back to our office and went through the electronic library and looked
for other comments he had said. He seemed to be saying something he
hadn't said before—maybe because of the situation that it was a
relaxed summer conference.

ABRAMS: So it hit you when he said this, wait a second, he's admitting that he's
sending letters to people saying, hey, you are going to be a witness in
this case in an effort to keep them off of TV.

MATAS: The context in which it came up was he talking about—he started the
first time around when—I guess in 1993 when he investigated Michael
Jackson. He said the media was different. The media always waited
for—the mainstream media at that time second sources before they

1 would come out with something. And now they'll just do what they
2 have to do to be first.

3 This is his perception, what he was saying. And then he started
4 talking about defense lawyers and saying defense lawyers were going
5 on TV every night talking about things that, as the prosecutor, he felt
6 he had an ethical responsibility to the case and he couldn't respond.
7 So he modeled this gag order to try and control things and level out
8 the playing field.

9 And he said he wanted the gag order to apply not just to the defense
10 lawyers, but to the people that are involved on the defense team. The
11 witnesses and anyone else who's going to comment with inside
12 information, with the evidence, the contents that he wouldn't be able
13 to respond to.

14 (CROSSTALK)

15 MATAS: And that's when he came out with this statement that he sent some
16 letters out to some people.

17 ABRAMS: But let's be clear. These letters were sent out to people just so that
18 they would stay off of TV?

19 MATAS: Well, he said the letters were sent out to some people that he intended
20 to call as witnesses to keep them off TV. I mean that's the phrase he
21 used. And he said, we were able to—he referred to some lawyers. He
22 said it succeeded in getting some lawyers restrained.

23 (A true and correct copy of the transcript of the July 21, 2004 Abrams Report is attached as
24 Exhibit C to the Mesereau Decl.)

25 II.

26 REQUEST FOR CLARIFICATION

27 Mr. Jackson respectfully requests the Court for clarification as to whether the
28 foregoing reported statements by Mr. Sneddon violate the Protective Order. More
specifically, Mr. Jackson requests clarification as to:

1 Whether Mr. Sneddon's statements violated provision 1 of the Protective
Order (reproduced above), in that:

- (a) Mr. Sneddon is the lead prosecutor and a witness in this case;
- (b) Mr. Sneddon's statements at the conference constitute release for
public dissemination of any purported extrajudicial statement of a
witness relating to this case;

1 2. Whether Mr. Sneddon's statements violated provision 2 of the Protective
2 Order (reproduced above), in that the letters he is reported to have sent to witnesses
3 constitute release of any documents or any evidence, the admissibility of which may have
4 to be determined by the Court; and

5 3. Whether Mr. Sneddon's statements violated provision 3 of the Protective
6 Order (reproduced above), in that the statements were made for public dissemination as to
7 the existence or possible existence of any document or any other evidence (i.e., the letters
8 to witnesses), the admissibility of which may have to be determined by the Court.

9 Mr. Jackson, through his counsel, respectfully requests clarification of these issues.

10
11 DATED: July 26, 2004

Respectfully submitted,

12
13 Thomas A. Mesereau, Jr.
14 Susan C. Yu
15 COLLINS, MESEREAU, REDDOCK & YU
16 Steve Cochran
17 Stacey McGee Knight
18 KATTEN MUCHIN ZAVIS ROSENMAN
19 Robert M. Sanger
20 SANGER & SWYSEN

21
22 By: Thomas Mesereau, Jr.
23 Thomas A. Mesereau, Jr.
24 Attorneys for Mr. MICHAEL J. JACKSON
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EXHIBIT "A"

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

JAN 23 2004

GARY M. BLAIR, Executive Officer
BY Carmel L. Wagner
CARMEL L. WAGNER, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA BARBARA

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

MICHAEL JOE JACKSON,

Defendant.

Case No.: 1133603

PROTECTIVE ORDER

TO: Thomas W. Sneddon, District Attorney for the County of Santa Barbara, and to Mark J. Garagos, 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 the defendant, Michael Jackson, 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 1. Release or authorize the release for public dissemination of any purported
2 extrajudicial statement of either the defendant or witnesses relating to this case;
- 3 2. Release or authorize the release of any documents, exhibits, photographs, or any
4 evidence, the admissibility of which may have to be determined by the Court;
- 5 3. Make any statement for public dissemination as to the existence or possible existence
6 of any document, exhibit, photograph or any other evidence, the admissibility of
7 which may have to be determined by the Court;
- 8 4. Express outside of court an opinion or make any comment for public dissemination as
9 to the weight, value, or effect of any evidence as tending to establish guilt or
10 innocence;
- 11 5. Make any statement outside of court as to the content, nature, substance, or effect
12 of any statements or testimony that have been given, or is expected to be given, in
13 any proceeding in or relating to this matter;
- 14 6. Issue any statement as to the identity of any prospective witness, or the witness's
15 probable testimony, or the effect thereof;
- 16 7. Make any out-of-court statement as to the nature, source, or effect of any purported
17 evidence alleged to have been accumulated as a result of the investigation of this
18 matter.

19
20
21 This Order does not include any of the following:

- 22 1. Factual statements of the accused person's name, age, residence, occupation, and
23 family status.
- 24 2. The time and place of arrest, the identity of the arresting and investigating officers
25 and agencies, and the length of the investigation.
- 26

- 1 3. The nature, substance, and text of the charge, including a brief description of the
2 offenses charged.
3 4. Quotations from, or any reference without comment to, public records of the Court in
4 the case.
5 5. The scheduling and result of any stage of the judicial proceedings held in open court
6 in an open or public session.
7 6. A request for assistance in obtaining evidence or the names of possible witnesses.
8 7. Any witness may discuss any matter with any prosecution or defense attorney in this
9 action, or any agent thereof, and if represented may discuss any matter with his or
10 her own attorney.
11

12 Any violation of this order will result in a contempt action for any offender within the
13 jurisdiction of this Court.

14 A copy of this Order shall be provided to any prospective witness that a party intends
15 to call for any proceeding in this action.

16 The court retains continuing jurisdiction to modify the terms of this order.

17
18 DATED: January 23, 2004



RODNEY S. MELVILLE
Judge of the Superior Court

PROOF OF SERVICE
1013A(1)(2), 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, 2009, 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); 213-625-1690 (MARK GERAGOS, ESQ.); 213-229-7520 (GIBSON, DUNN & CRUTCHER). Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(1), a transmission report was properly issued by the transmitting facsimile machine and is attached hereto.

☐ MAIL

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

☐ PERSONAL SERVICE

By leaving a true copy thereof at their office with 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, 2009, at Santa Maria, California.

Carrie L. Wagner
CARRIE L. WAGNER



EXHIBIT "B"

GLOBEANDMAIL.COM

Print this Page

Jackson prosecutor lashes out at media

By ROBERT MATAS

UPDATED AT 10:52 AM EDT

Wednesday, Jul 21, 2004

VANCOUVER — Santa Barbara county prosecutor Tom Sneddon Jr. has been pilloried in the media for his handling of criminal charges against global entertainment icon Michael Jackson. He has felt the barbs but bitten his tongue, only occasionally breaking his silence.

But on a lazy summer morning in another country 2,000 kilometres away from home, Mr. Sneddon let loose with a tirade against the media and against lawyers who have criticized him.

Sounding as if he were licking his wounds, he said yesterday at the National District Attorneys Association summer conference in Vancouver that he has not responded to incorrect information or misinformed comment in order to ensure a fair trial.

Offering advice to prosecutors on handling high-profile cases, he cautioned against assuming the media would be fair. "They go with what they have to go with to beat the competition," he said. "It's a frenzy, driven by competition. Not a lot of rules apply."

He suggested prosecutors (called district attorneys in the United States) hire public-relations firms if they are involved in high-profile cases.

Mr. Sneddon also strongly advised them to obtain court orders prohibiting those involved in the case from speaking publicly. "We sent letters to some people saying we intended to call them as witnesses in order to keep them off TV," he frankly admitted.

Mr. Sneddon has been the district attorney in Santa Barbara county since 1982. A decade ago, he spent more than a year investigating lurid allegations of sexual molestation against Mr. Jackson after a youngster claimed Mr. Jackson had sex with him several times during a five-month relationship.

The case ended abruptly in 1994 after Mr. Jackson reportedly reached a \$15.3-million (U.S.) settlement with the boy's parents.

After the investigation was suspended, Mr. Jackson wrote a song apparently about Mr. Sneddon. The lyrics for *D.S.* on Mr. Jackson's *HIStory* album say "Dom Sheldon" is a cold man out to get him dead or alive. "He out shock in every single way. He'll stop at nothing just to get his political say." Sheldon has been widely described as a pseudonym for Mr. Sneddon. Some say it sounds as if Mr. Jackson actually says "Sneddon" in the song.

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GlobeMedia**

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EXHIBIT "C"

EXHIBIT "C"

'The Abrams Report' for July 21
MSNBC

Read the complete transcript to Wednesday's show Updated: 9:19 a.m. ET July 22, 2004 Guest:
Dean Johnson, Lisa Pinto, Trent Copeland, Kevin Joiner, Robert Matas, Solomon Wisenberg,
Sean Maloney

DAN ABRAMS, HOST: Coming up—is the Michael Jackson D.A. trying to silence possible
critics by telling them they could be witnesses in the case?

(BEGIN VIDEOTAPE)

ABRAMS (voice-over): In a speech this week Tom Sneddon admitted he'd sent letters saying he
intended to call certain people as witnesses in the case in order to—quote—"keep them off of
TV." Can he do that?

ABRAMS: Coming up, is the D.A. in the Michael Jackson case trying to silence critics by telling
them they're possible witnesses? Is that misconduct? First the headlines.

(NEWS BREAK)

ABRAMS: We're back. The lead prosecutor in the case against Michael Jackson has been
accused of having a vendetta against Jackson. And it's no secret he hasn't been a big fan of the
media coverage. But now D.A. Tom Sneddon may be going too far to get the case presented his
way. Robert Matas of the national Canadian newspaper, "The Globe and Mail" attended a
closed-door meeting of the National District Attorney's Association in Vancouver yesterday.
There Sneddon lashed out at the media and offered some advice on how he's kept some people
involved in the case from talking to the press.

According to Matas, Sneddon said—quote—"We sent letters to some people saying we intended
to call them as witnesses in order to keep them off TV. And Sneddon even said, we were able to
get some lawyers, if not off, at least more restrained."

That one you're hearing—that last quote you are hearing here for the first time. Matas wasn't
able to include it in his article. Before we talk about whether that is misconduct, reporter Robert
Matas who broke the story joins me now from Vancouver. Mr. Matas, thanks very much for
taking the time. We appreciate it.

ROBERT MATAS, "GLOBE AND MAIL" REPORTER: Thank you.

ABRAMS: So put this into context for us. What was he speaking about when he made these
comments?

MATAS: Well, it was a summer conference for District Attorney's Association. It was a very

informal affair. It was about 200 district attorneys. They were there in their jeans and shorts and T-shirts. It was a panel on how to deal with the media in high-profile cases and there were some other prosecutors that were also on the panel and his area for the time that he was allotted was to speak about the Michael Jackson case and how he handled it.

ABRAMS: And it seems from the way you wrote the article that even you seemed a little surprised that he was that frank about it. I think you wrote—after that quote you wrote something like he was quite frank about it or in surprising fashion or something along those lines.

MATAS: Yes. Well, I was there because there was a prosecutor from a Canadian case that was also on the panel. When I heard his comments, I went back to our office and went through the electronic library and looked for other comments he had said. He seemed to be saying something he hadn't said before—maybe because of the situation that it was a relaxed summer conference.

ABRAMS: So it hit you when he said this, wait a second, he's admitting that he's sending letters to people saying, hey, you are going to be a witness in this case in an effort to keep them off of TV.

MATAS: The context in which it came up was he talking about—he started the first time around when—I guess in 1993 when he investigated Michael Jackson. He said the media was different. The media always waited for—the mainstream media at that time second sources before they would come out with something. And now they'll just do what they have to do to be first.

This is his perception, what he was saying. And then he started talking about defense lawyers and saying defense lawyers were going on TV every night talking about things that, as the prosecutor, he felt he had an ethical responsibility to the case and he couldn't respond. So he modeled this gag order to try and control things and level out the playing field.

And he said he wanted the gag order to apply not just to the defense lawyers, but to the people that are involved on the defense team. The witnesses and anyone else who's going to comment with inside information, with the evidence, the contents that he wouldn't be able to respond to.

(CROSSTALK)

MATAS: And that's when he came out with this statement that he sent some letters out to some people.

ABRAMS: But let's be clear. These letters were sent out to people just so that they would stay off of TV?

MATAS: Well, he said the letters were sent out to some people that he intended to call as witnesses to keep them off TV. I mean that's the phrase he used. And he said, we were able to—he referred to some lawyers. He said it succeeded in getting some lawyers restrained.

ABRAMS: All right.

MATAS: So...

ABRAMS: Robert Matas, if you could just stay with us in case we have a couple of questions on this. I appreciate it.

My take—if the D.A. is telling anyone that they may be witnesses in an effort to silence them, it seems to me that is misconduct. Let me bring my panel back here again—criminal defense attorney Trent Copeland, former prosecutor Lisa Pinto.

Trent, what do you make of this?

COPELAND: You know, Dan, if I was playing word association it would be outrage, it would be anger and it would be a whole host of words just like that. I mean this is outrageous conduct. And you know Dan it comes from a D.A. who from the very beginning, and the irony is that he would be addressing a group of D.A.s on how to deal with the media when this is the guy who has blundered his way through dealing with the media throughout this entire process. I've got to tell you, he should probably expect a bouquet of flowers from Michael Jackson—and Mr. Matas, that is—and he should probably also expect an all-expense paid ticket to the county of Santa Barbara because he's coming here to talk about this...

ABRAMS: Yes.

COPELAND: ... in a closed-door section, I would assume...

PINTO: Trent...

COPELAND: ... this is a big deal Dan.

ABRAMS: Lisa Pinto...

PINTO: Trent...

ABRAMS: ... I...

PINTO: ... you have got to calm down here.

ABRAMS: Yes, I don't know what Lisa's position on this is...

PINTO: ... he...

ABRAMS: ... and I'd be interested, Lisa just to take a step back for a minute and evaluate this as prosecutor to prosecutor...

PINTO: Right.

ABRAMS: ... about what he's saying here.

PINTO: Well I think he—you don't know who he intends to call as a witness to start with. But look, in this post Geragos era that we live in where the defense (UNINTELLIGIBLE) is trying everything on cable news every night, it is a whole new ballgame for those of us on this side.

ABRAMS: You can tell them they're witnesses?

PINTO: Well maybe some of them were. We do not know. But what is certainly appropriate is for him to play his cards close to his chest, prevent potential witnesses from being in any way tainted, for example, by tabloid money or having their—having been harassed, as we saw in the Kobe Bryant case, this woman, doesn't even want to go forward because she's been so badgered and harassed by a hostile media...

COPELAND: Lisa, Lisa...

PINTO: ... and I think these are appropriate steps...

COPELAND: Lisa...

PINTO: ... to protect the integrity of the case...

COPELAND: Lisa...

PINTO: ... and represent the people of the state of California.

PINTO: Lisa, you are stretching it. It's called an abuse of process. There is a real remedy for this, Dan, and this isn't some novel thing. I mean you cannot engage in a judicial act, and this is a judicial act, sending subpoenas out without a good-faith basis to...

ABRAMS: Well that's the question...

PINTO: Trent, you don't know...

(CROSSTALK)

ABRAMS: But that's what I'm not...

(CROSSTALK)

ABRAMS: Let me go to Mr. Matas on this. Mr. Matas, it is sort of ambiguous, is it not, as to whether he was suggesting that these people would not have been witnesses otherwise, correct?

MATAS: Well he didn't elaborate. So I suppose it could be read either way.

ABRAMS: And I should say this is the response we got from his spokespeople because we called them to find out what it was he meant by that. We were hoping for some clarification. This is the response we got.

Being a prosecutor is a tough job, especially in a very high profile case. Because of the gag order, none of us can respond to untruths and innuendoes swirling around. This is bound to be frustrating to the media, but as a public relations agency we understand this and try to impart as much information as we can under the circumstances.

You know, it doesn't sound to me, Lisa, like they're saying Mr. Matas got it wrong.

PINTO: Well first of all, this was a casual gathering of prosecutors. If they knew a reporter was present, he spoke off the cuff. I would conjecture that possibly some of the attorneys involved were possible rebuttal witnesses. Maybe they knew something...

ABRAMS: I hope so.

PINTO: ... about Geragos' behavior or about Michael Jackson's...

ABRAMS: Yes.

PINTO: ... legal actions and in some way he needed to protect them...

ABRAMS: Well...

PINTO: ... and shield them from the wrath...

ABRAMS: All right. I hope so. Because if he is speaking to prosecutors he should be a lot clearer than that about exactly what he meant. There weren't supposed to be—you know they didn't even know reporters were there. Mr. Matas did some good journalistic work getting this information out. But I can tell you he was the only one there in terms of journalists, so we're not going to get to talk to anyone else about what was said or wasn't said. Apparently, the D.A. doesn't want to clarify this. But I think this is serious stuff if he was sending out any letters to people just to keep them off TV.

All right, Robert Matas, Lisa Pinto and Trent Copeland, thanks very much.

PINTO: Thank you.

MATAS: Thank you.

<http://msnbc.msn.com/id/5486873/>

PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States of America, am over the age of eighteen (18) years, and not a party to the within action. I am employed at 1875 Century Park East, 7th Floor, Los Angeles, CA 90067. On July 26, 2004, I served the following document:

MR. JACKSON'S REQUEST FOR CLARIFICATION OF THE COURT'S PROTECTIVE ORDER; DELCARATION OF THOMAS A. MESEREAU, JR. IN SUPPORT THEREOF

on the interested parties addressed as follows:

Thomas Sneddon, Esq., District Attorney
Gerald Franklin, Esq.
Ronald Zonen, Esq.
Gordon Auchincloss, Esq.
District Attorney's Office
1105 Santa Barbara Street
Santa Barbara, CA 93108
FAX: (805) 568-2398

 BY MAIL: I placed each envelope, containing the foregoing document, with postage fully prepaid, in the United States mail at Los Angeles, California. I am readily familiar with the business practice for collection and processing of mail in this office; that in the ordinary course of business said document would be deposited with the US Postal Service in Los Angeles on that same day.

 X BY FACSIMILE: I served a copy of the within document on the above-interested parties, by way of a facsimile, at the facsimile numbers listed above.

 BY MESSENGER/ATTORNEY SERVICE: I caused to personally serve the within document on the above interested parties.

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

 (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on July 26, 2004, at Los Angeles, California.


Susan C. Yu