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14 Attorneys for Defendant  
MICHAEL JOE JACKSON

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

19 THE PEOPLE OF THE STATE OF CALIFORNIA,  
20 Plaintiff,  
21 vs.  
22 MICHAEL JOE JACKSON  
23 Defendant.

) CASE NO. 1133603  
) EX PARTE APPLICATION TO FILE UNDER  
) SEAL MR. JACKSON'S REQUEST TO  
) MAKE PUBLIC STATEMENT; [PROPOSED]  
) ORDER THEREON

~~FILED UNDER SEAL~~

HEARING:

DATE: ~~AUGUST 19, 2004~~  
TIME: ~~8:30 A.M.~~  
Place: ~~Dept. SM-2~~

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

AUG 13 2004

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

1 Michael J. Jackson ("Mr. Jackson") , through his counsel, Thomas A. Mesereau, Jr.,  
2 hereby applies *ex parte* for leave to file under seal a request that he be permitted to make a  
3 public statement. Filing under seal is necessary because the content of the Request  
4 includes references to matters that are subject to this Court's Protective Order.

5 This application is based upon the attached declaration of Thomas A. Mesereau, Jr.,  
6 the files and record in this case and any other information presented prior to a ruling  
7 hereon.

8 Dated: August 13, 2004

Respectfully submitted,

9  
10 COLLINS, MESEREAU, REDDOCK & YU  
Thomas A. Mesereau, Jr.  
Susan C. Yu

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12 KATTEN MUCHIN ZAVIS ROSENMAN  
Steve Cochran  
Stacey McKee Knight

13  
14 SANGER & SWYSEN  
Robert M. Sanger

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16 OXMAN & JAROSCAK  
Brian Oxman

17 By:

  
18 Thomas A. Mesereau, Jr.  
Attorneys for MICHAEL JOE JACKSON

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DECLARATION OF THOMAS A. MESEREAU, JR.

I, Thomas A. Mesereau, Jr., declare:

1. I am an attorney at law duly licensed to practice law in the courts of the State of California, a partner in the law firm of Collins, Mesereau, Reddock & Yu, and lead counsel for Mr. Michael Jackson. I submit this declaration in support of an *ex parte* application for leave to file under seal Mr. Jackson's request that he be permitted to make a public statement.

2. The motion papers describe materials that are subject to this Court's Protective Order. Therefore, in accordance with the directives by this Court, leave is sought to file this motion under seal.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 13th day of August, 2004 at Los Angeles, California.

  
Thomas A. Mesereau, Jr.

1 PROOF OF SERVICE

2 I, the undersigned, declare:

3 I am a citizen of the United States of America, am over the age of eighteen (18)  
4 years, and not a party to the within action. I am employed at 1875 Century Park East, 7<sup>th</sup>  
5 Floor, Los Angeles, CA 90067. On August 13, 2004, I served the following document:

6 **EX PARTE APPLICATION TO FILE UNDER SEAL MR. JACKSON'S REQUEST TO MAKE  
7 PUBLIC STATEMENT; [PROPOSED] ORDER THEREON**

8 on the interested parties addressed as follows:

9 Thomas Sneddon, Esq., District Attorney  
10 Gerald Franklin, Esq.  
11 Ronald Zonen, Esq.  
12 Gordon Auchincloss, Esq.  
13 District Attorney's Office  
14 1105 Santa Barbara Street  
15 Santa Barbara, CA 93108  
16 FAX: (805) 568-2398

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

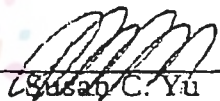
22   X   BY FACSIMILE: I served a copy of the within document on the above-interested  
23 parties, by way of a facsimile, at the facsimile numbers listed above.

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

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

28      (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 August 13, 2004, at Los Angeles, California.

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23 \_\_\_\_\_  
Susan C. Yu