1	THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY SUPERIOR COURT of CALIFORNIA COUNTY OF SANTA BARBARA			
2	By: RONALD J. ZONEN (State Bar No. 85094) Scnior Deputy District Attorney GORDON AUCHINCLOSS (State Bar No. 150251) Senior Deputy District Attorney GERALD McC. FRANKLIN (State Bar No. 40171) GARY M. BLAIR, Executive Officer CARRIE L. WAGNER, DAVING CONTROL OF THE PROPERTY OF THE			
3	GORDON AUCHINCLOSS (State Bar No. 150251) Senior Deputy District Attorney GARY M. BLAIR, Executive Officer			
4	Senior Deputy District Attorney GERALD McC. FRANKLIN (State Bar No. 40171) Senior Deputy District Attorney CARRIE L. WAGNER, Deputy Clark			
5	1112 Santa Barbara Street Santa Barbara, CA 93101			
6	Telephone: (805) 568-2300 FAX: (805) 568-2398			
7	PAA. (603) 308-2398			
8	SUPERIOR COURT OF THE STATE OF CALIFORNIA			
9	FOR THE COUNTY OF SANTA BARBARA			
10	SANTA MARIA DIVISION			
11	all a . all a .			
12	THE PEOPLE OF THE STATE OF CALIFORNIA, \ No. 1133603			
13	Plaintiff, PROPOSED WAIVER OF LIABILITY CONCERNING			
14	v. RECEIPT OF CERTAIN			
15) PROPERTY TREATED WITH) TOXIC SUBSTANCES IN			
16	MICHAEL JOE JACKSON, THE COURSE OF THE INTESTIGATION			
17				
18	Defendant.			
19	mjfacts.com mjfacts.com			
20				
21	The Court and counsel for Plaintiff and Defendant have previously discussed the			
22	return of evidence seized from Defendant in the course of the investigation underlying the			
23	charges upon which Defendant was indicted. Plaintiff's counsel noted that some of the			
24	property had been treated with one or more substances in an effort to reveal fingerprint, and			
25	that the residue of that or those chemicals on a given item of property might well be toxic and			
26	pose a danger to the health of anyone handling the property without taking adequate			
27	precautions. Plaintiff's counsel suggested that the Court consider conditioning release of the			
28	contaminated property to Defendant upon the execution by him or his authorized representative			

PROPOSED WAIVER OF LIABILITY RE: RECEIPT OF PROPERTY TREATED WITH TOXIC SUBSTANCES

1					
1	of a release and hold-harmless agreement and assuming the risk of harm attributable to				
2	handling any property so treated with toxic substances.				
3	Attached for consideration by the Court and Counsel is a draft of a "Waiver,				
4	Release and Assumption of Risk Agreement" prepared by the County Counsel's Office.				
5	DATED: August 22, 2005				
6	Respectfully submitted,				
7	mifacts.com m/. 113.00m				
8	Thomas Reddle &				
9	THOMAS W. SNEDDON, JR. District Attorney				
10					
11					
12	Gia. Gia.				
13	nifacts.com mifacts.com mjfacts.com				
14					
15					
16					
17					
18	mifacts com				
19	mjiacts.com injiacts.com				
20					
21					
22					
23					
24					
25	njfacts.com mjfacts.com mjfacts.com				
26					
27					
28					
	2				
	PROPOSED WAIVER OF LIABILITY RE: RECEIPT OF PROPERTY TREATED WITH TOXIC SUBSTANCES				
	LUCKOSED AVIABLE OF PREPARE STATES AND				

PROOF OF SERVICE

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and I am not a party to the within-entitled action. My business address is: District Attorney's Office; Courthouse; 1112 Santa Barbara Street, Santa Barbara,

On August 22, 2005, I served the within PROPOSED WAIVER OF LIABILITY CONCERNING RECEIPT OF CERTAIN PROPERTY TREATED WITH TOXIC SUBSTANCES IN THE COURSE OF THE INVESTIGATION on Defendant, by THOMAS A. MESEREAU, JR. and ROBERT SANGER by personally delivering a true copy thereof to Mr. Sanger's office in Santa Barbara, by transmitting a facsimile copy thereof to Attorney Mesercau, and by causing a true copy thereof to be mailed to Mr. Mesereau, first class postage prepaid, at the addresses shown on the attached Service List.

> I declare under penalty of perjury that the foregoing is true and correct. Executed at Santa Barbara, California on this 22 day of August, 2005.

> > McC. Frankl

SERVICE LIST THOMAS A. MESEREAU, JR. Collins, Mesereau, Reddock & Yu, LLP 1875 Century Park East, No. 700 Los Angeles, CA 90067 FAX: (805) 456-0699 Attorney for Defendant Michael Jackson ROBERT SANGER, ESQ. Sanger & Swysen, Lawyers 233 E. Carrillo Street, Suite C Santa Barbara, CA 93001 FAX: (805) 963-7311 Co-counsel for Defendant mifacts.com

PROPOSED WAIVER OF LIABILITY RE: RECEIPT OF PROPERTY TREATED WITH TOXIC SUBSTANCES

WAIVER, RELEASE AND ASSUMPTION OF RISK AGREEMENT (PLEASE READ CAREFULLY BEFORE SIGNING)

A Maria	TEAN CAREFUL	T REPORT SHOWN	
I	, am	a duly and k	egally authorized
representative of Michae property seized by the Barbara Superior Court of	l Jackson, and am Santa Barbara C case no. 1133603	i advised and unde ounty Sheriff's <mark>De</mark> j , People v. <mark>Jackson</mark> ,	rstand that certain partment in Santa , which property is
being returned to Mr. J does as a result of the hazardous and/or texto come in contact with the however, the Santa B	ne criminal invest substances which he property. Suc arbara Sheriff's	igation in the about may pose a danger to property does of the desired to the des	ove case, contain er to persons who contain a warning; s to ensure that
appropriate care is taken those who receive the pr and future handling.			
Therefore, in consideration such property, I, on behindereby waive, release a action of any kind what property damage or loss	alf of Michael Jack and discharge any atsoever for, or o	son, his heirs, succe and all claims, de n account of deatl	essors and assigns, emands, causes of h, personal injury,

This release is intended to discharge and hold harmless the County of Santa Barbara, its District Attorney, its Sheriff's Department, their officers, officials, employees and volunteers, and any other involved municipalities or public agencies from and against any and all liability arising out of or connected in any way with the return of the property. I further understand and agree that upon receipt of the property, any liability for any injury, property damage or loss of any kind which may exist or arise in the future, shall be that of Mr. Jackson and not that of the County of Santa Barbara, its District Attorney, its Sheriff's Department, their officers, officials, employees and volunteers, and any other involved municipalities or public agencies.

against the County of Santa Barbara, the Santa Barbara District Attorney and the

County of Santa Barbara Sheriff's Department or its/their employees.

I further understand that the receipt and handling of such property may pose risks due to the hazardous and/or toxic nature of the substances used on said property; however, being made aware of those risks, I hereby agree to assume those risks and release and hold harmless all of the persons or agencies mentioned above who might otherwise be liable to me (or my heirs or assigns) for damages.

Dated:		
90 8	Authorized Representativ	

ijfacts.com mjfacts.cor

TAUE JUNE

WACCII CU-22-CUM

CHADODOCAL

EMU UDGG - TO THISE