Thomas A. Mesereau, Jr. (SBN 91182)
Susan C. Yu (SBN 195640)
COLLINS, MESEREAU, REDDOCK & YU
1875 Century Park East, 7th Floor
Los Angeles, CA 90067
Telephone: 310-284-3120 OCT n 4 2034 GARY M. BLAIR, Executive Officer Facsimile: 310-284-3133 Carried Wagner CARRIE L. WAGNER, Deputy Clerk Robert M. Sanger (SBN 58214) SANGER & SWYSEN 233 E. Carrillo Street, Suite C Santa Barbara, California 93101 Telephone: 805-962-4887 Facsimile: 805-963-7311 8 Brian Oxman (SBN 072172) OXMAN & JAROSCAK 14126 East Rosecrans Santa Fe Springs, CA 90670 Telephone: 562-921-5058 Facsimile: 562-921-2298 11 Attorneys for Defendant 12 MICHAEL JOSEPH JACKSON 13 14 SUPERIOR COURT OF THE STATE OF CALIFORNIA 15 FOR THE COUNTY OF SANTA BARBARA 16 SANTA MARIA DIVISION 17 CASE NO. 1133603 THE PEOPLE OF THE STATE OF 18 CALIFORNIA. EX PARTE APPLICATION FOR 19 Plaintiff, LEAVE TO FILE UNDER SEAL MR. JACKSON'S MOTION FOR 20 RECUSAL OF SANTA BARBARA VS. COUNTY DISTRICT 21 MICHAEL JOSEPH JACKSON TORNEY'S OFFICE PURSUANT TO PENAL CODE 22 SECTION 1424; DECLARATION Defendant. OF ROBERT SANGER 23 24 25 26 27 Defendant Michael J. Jackson, through his counsel, hereby applies ex parte for leave to file under seal his motion for recusal of Santa Barbara County District 28

EXPARTE APPLICATION FOR LEAVE TO FILE UNDER SEAL MR. JACKSON'S MOTION FOR RECUSAL

Attorney's Office. Filing under seal is necessary because the content of the motion includes reference to details in under seal material, including discovery materials, grand jury transcripts, investigative reports, exhibits and the identities of witnesses. 3 This application is based upon the attached declaration of Robert M. Sanger, 4 the file and record in this case and any other information presented prior to a ruling 5 hereon. Dated: October 4, 2004 Respectfully submitted, 7 Thomas A. Mesereau, Jr. 8 COLLINS, MESEREAU, REDDOCK & YU 9 Robert M. Sanger 10 SANGER & SWYSEN 11 Brian Oxman OXMAN & JAROSCAK 12 13 14 15 By: 16 Attorneys for Defendant MICHAEL JOSEPH JACKSON 17 18 19 20 21 22 23 24 25 26 27 28

UNDER SEAL MR. JACKSON'S MOTION FOR RECUSAL

I am an attorney duly authorized to practice before all courts of the State of California and co-counsel for Michael J. Jackson. I submit this declaration in support of an ex parte application for leave to file under seal Mr. Jackson's motion for recusal of Santa Barbara County District Attorney's Office.

The motion papers describe materials that have been maintained under 2. seal by this Court. Details about the investigation, grand jury proceeding and testimony, investigative reports, exhibits and other discovery are mentioned in the moving papers. Therefore, in accordance with the practice directed 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.

Executed this 4th day of October, 2004 at

obert M.

I, Robert M. Sanger, declare as follows: