FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

NOV 17 2004

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

SUPERIOR COURT OF THE STATE OF CALIFORNIA

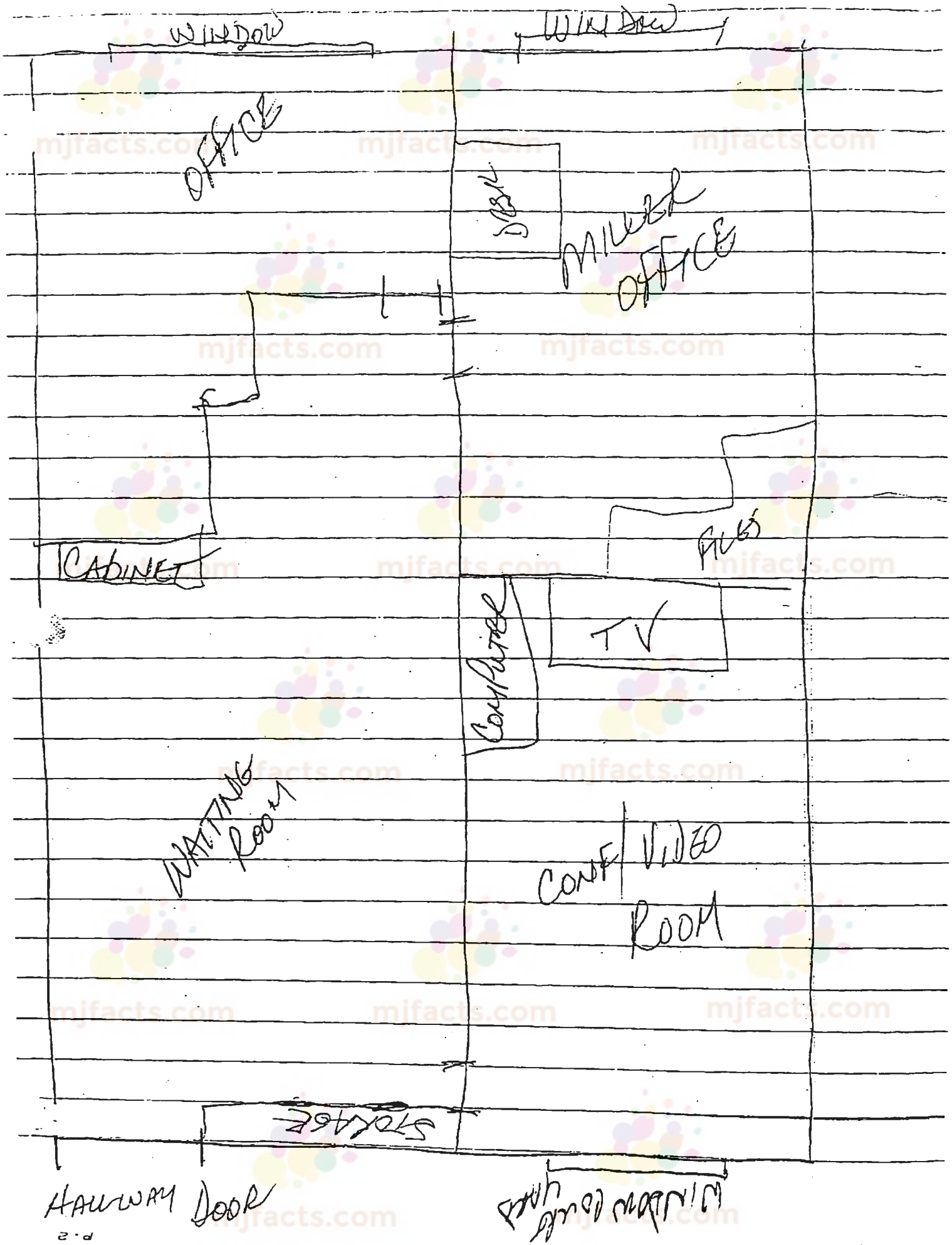
FOR THE COUNTY OF SANTA BARBARA

THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. MICHAEL JACKSON, Defendant.	Case No.: 1133603 Order for Release of Documents [Exhibits 23-27, 31-33, 39A-39B, 47-48, 50, 50A from Pen. C. § 1538.5 Hearings (Parts 1 and 2)]

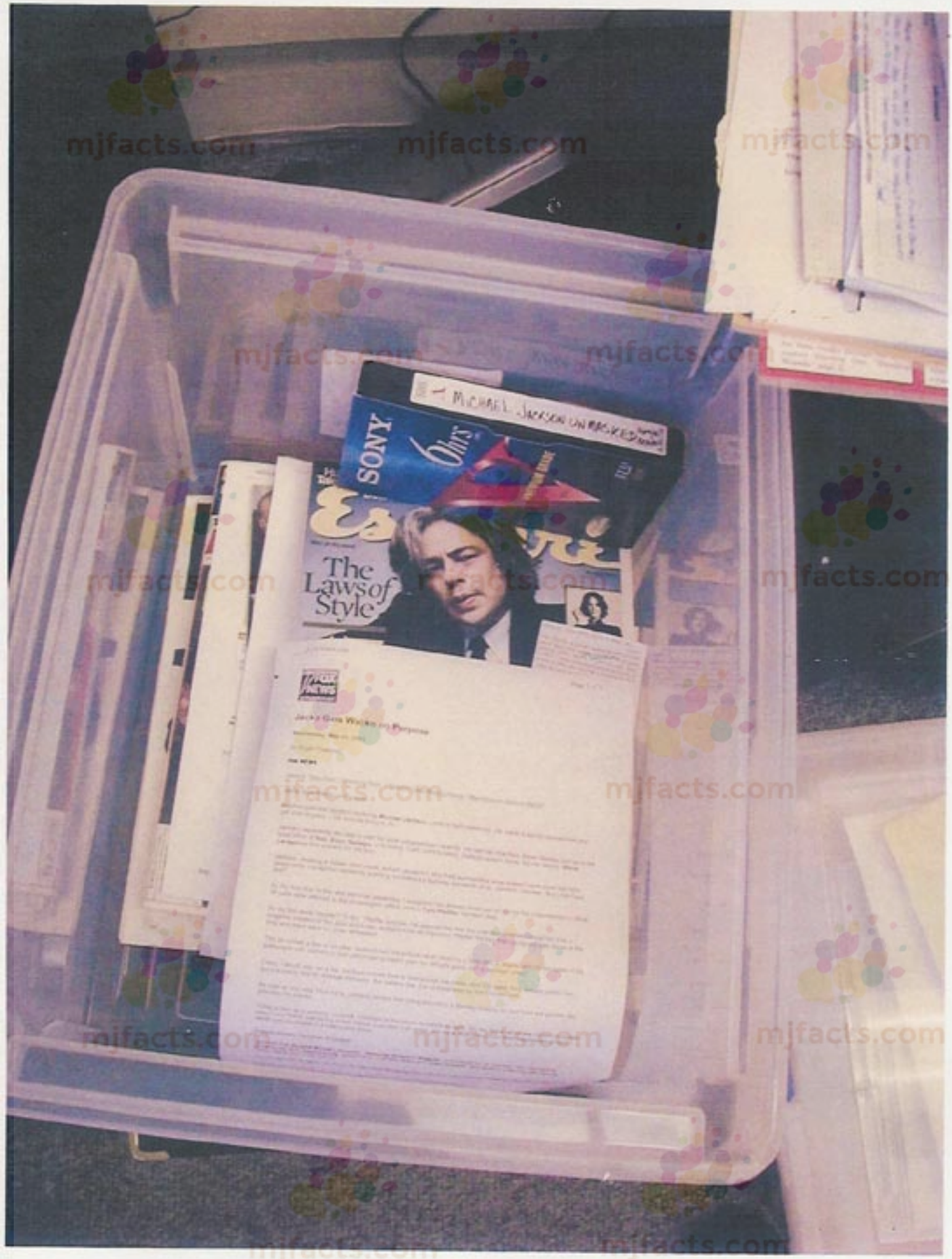
Copies of Exhibits 23-27, 31-33, 39A-39B, 47-48, 50 and 50A, admitted during the Pen. C. § 1538.5 Hearings (Parts 1 and 2), are attached to this order and can be released in unredacted form.

DATED: NOV 17 2004

Rodney S. Melville
RODNEY S. MELVILLE
Judge of the Superior Court


WINDOW
WINDOW
OFFICE
DESK
MILLER OFFICE
CABINET
FILES
TV
COMPUTER
WAITING ROOM
CONF/VIDEO ROOM
STORAGE
HALLWAY DOOR
DOUBLE DOOR

#73

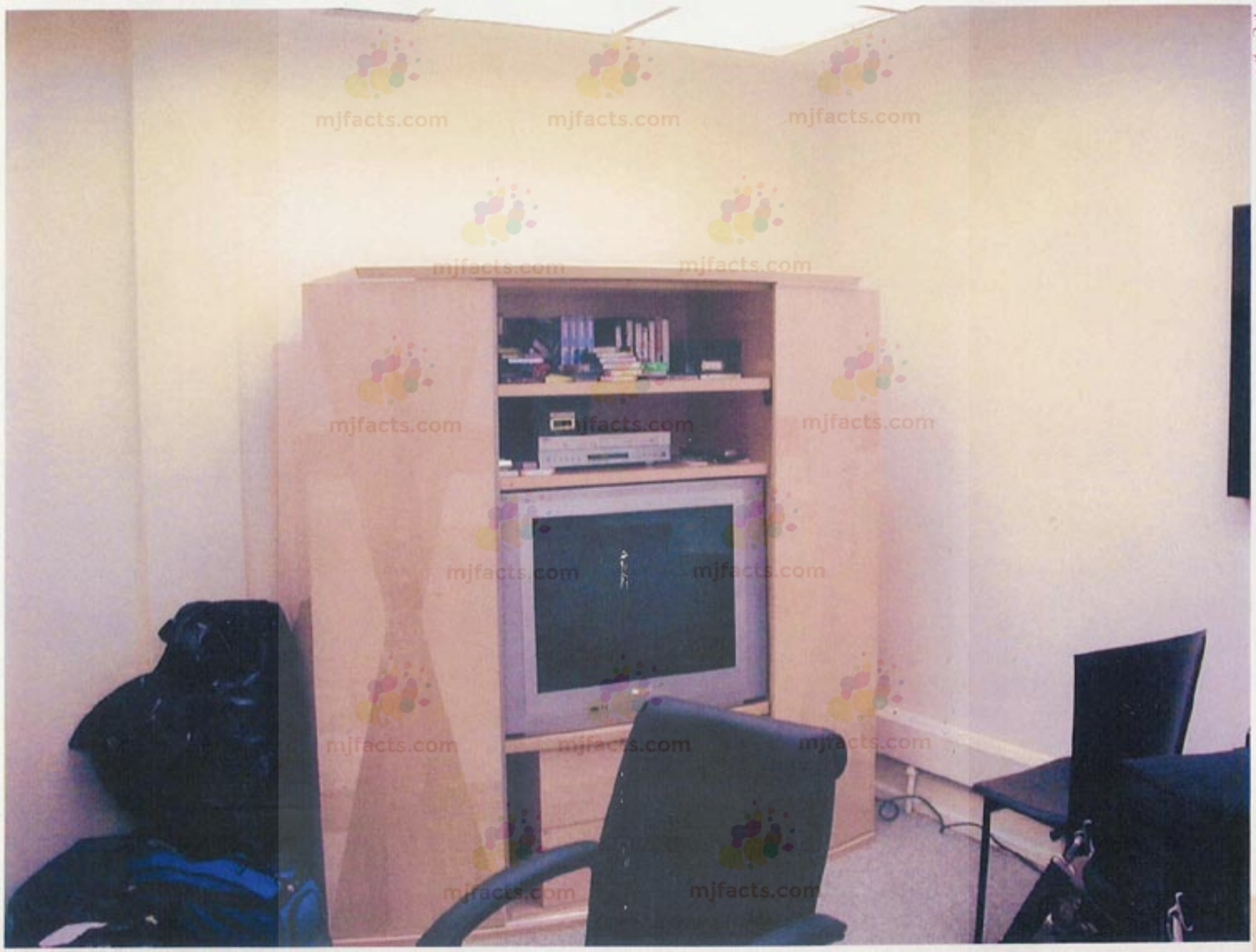


#24

#85

#26

#27



#31

EXHIBIT NO. 32
Case No. 1133603
☒ Deft. ☐ Minor
☐ Resp. ☐ Special
I.D. 7-27-04
Evid. 7-27-04
GARY M. BLAIR
By [signature]
501 Rev. 4-85

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
Facsimile: 310-284-3133

Steve Cochran (SBN 105541)
Stacey McKee Knight (SBN 181027)
KATTEN MUCHIN ZAVIS ROSENMAN
2029 Century Park East, Suite 2600
Los Angeles, California 90067
Telephone: (310) 788-4400
Facsimile: (310) 712-8455

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

Brian Oxman (SBN 072172)
OXMAN & JAROSCAK
14126 East Rosecrans
Santa Fe Springs, California 90670
Telephone: 562-921-5058
Facsimile: 562-921-2298

Attorneys for Defendant
MICHAEL J. 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 J. JACKSON Defendant.	CASE NO. 1133603 **STIPULATION RE TESTIMONY OF BEVERLY HILLS POLICE DEPARTMENT OFFICER ROY TINKLER IN LIEU OF PERSONAL APPEARANCE**

It is hereby stipulated and agreed to by the parties that the testimony of Officer Roy Tinkler shall be admitted without the necessity of personal appearance. If called and sworn, Officer Tinkler would testify as follows:

1. I am a resident of Los Angeles County. I have worked as a police officer for twenty-five years. I am currently an officer with the Beverly Hills Police Department.

2. On November 18, 2003, I was assigned to assist officers from Santa Barbara County in the execution of a search warrant at a suite of offices in Beverly Hills. I did not read the warrant or the underlying affidavit.

3. I met Detective Forney, Sargent Caldwell and D.A. Investigator Tonello at about 8:30 a.m. near the location of the search. Around fifteen minutes later, I accompanied them to serve the search warrant at 211 South Beverly Drive, #108 in Beverly Hills. At some point either before or during the search, Sargent Caldwell informed me that a private investigator, Brad Miller, occupied the location to be searched.

4. The front door to the suite of offices was locked. The building manager was notified of the situation by one of the Santa Barbara officers. He/she had a key and used it to open the outer door to the office.

5. The offices inside were locked. The building manager could not provide access.

6. Sargent Caldwell forcibly obtained entry into a nearby conference room using a sledge hammer. Detective Forney also forced open one of the office doors, but I do not recall whether he used a sledge hammer.

7. I left Mr. Miller's office while Sargent Caldwell, Detective Forney and Investigator Tonello proceeded with the search. I left between 10:20 and 10:30 a.m.

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

Steve Cochran
Stacey McKee Knight
KATTEN MUCHIN ZAVIS ROSENMAN

Robert M. Sanger
SANGER & SWYSEN

Brian Oxman
OXMAN & JAROSCAK

By: Steve Cochran 7/27/04
Steve Cochran
Attorneys for Defendant
MICHAEL J. JACKSON

THOMAS W. SNEDDON, JR.
District Attorney

By: R Zonen
Ronald J. Zonen, Senior Deputy
Attorneys for Plaintiff

7/27/04

EXHIBIT NO. 33
Case No. 1133603
☒ Deft. ☐ Minor
☐ Resp. ☐ Special
I.D. 8-16-04
Evid. 8-16-04
GARY M. BLAIR
By [signature]
SM Rev. 4-95

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY OF SANTA BARBARA
APR 19 2004
GARY M. BLAIR, EXEC. OFFICER
By [signature]
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA BARBARA

In re the Santa Barbara Criminal Grand Jury	Case No: 04-002 (Related criminal action no. 1133603) ORDER (FILED UNDER SEAL)

To Thomas Sneddon, District Attorney for the County of Santa Barbara; Mark J. Geragos, attorney of record for Defendant Michael Jackson; and to all interested parties:

The court has reviewed the Motion to Quash Grand Jury Subpoena filed on behalf of the Defendant, as well as various responses and replies. The Court has listened to the arguments and comments of counsel on April 9 and 16, 2004. The Court then took the matter under submission.

The District Attorney has sought to subpoena two of the Defendants Private Investigators to testify before the currently pending Criminal Grand Jury. The subject of the Grand Jury investigation is the Defendant.

The Defendant retained counsel regarding the subject matter of this case some months ago. The attorney in turn, retained investigators. Eventually a Criminal Complaint was filed, and then a Criminal Grand Jury convened.

The Defendant objects to the attempt to call his investigators on several grounds; attorney client privilege, work product privilege and chilling effect on the Defendants Right to Counsel.

Defendant argues that, once retained; the investigator becomes an extension of counsel, he receives confidential information from the attorney, (potentially attorney client privileged information and work product) acts upon the instructions of counsel (work product); and returns to the attorney with the fruits of his labor (work product). The investigator is an integral part of the Defense team or "camp".

The people argue that there is much that an investigator does, sees, hears, which would not be privileged, i.e. percipient matters. They concede that at least some of the activities of the investigators may be privileged. They further offer that calling the investigators is for the purpose of incriminating the Defendant. Finally they suggest that if privileged testimony were to be brought out; the Defendant has a remedy, though the nature of the remedy is somewhat vague.

Counsel in the Grand Jury hearing room would not represent the witnesses. There is no judge to rule on objections of privilege. The potential for disclosure of privileged information given the witness relationship is very real.

Given the status of the case, post complaint; the relationship of the witness to the defendant and defense team, and the lack of detail as to the nature of percipient testimony that might justify the potential need to tread on Defendant's rights; the Motion to Quash is granted.

SO ORDERED.

April 19, 2004

CLIFFORD R. ANDERSON III
Presiding Judge of the Superior Court

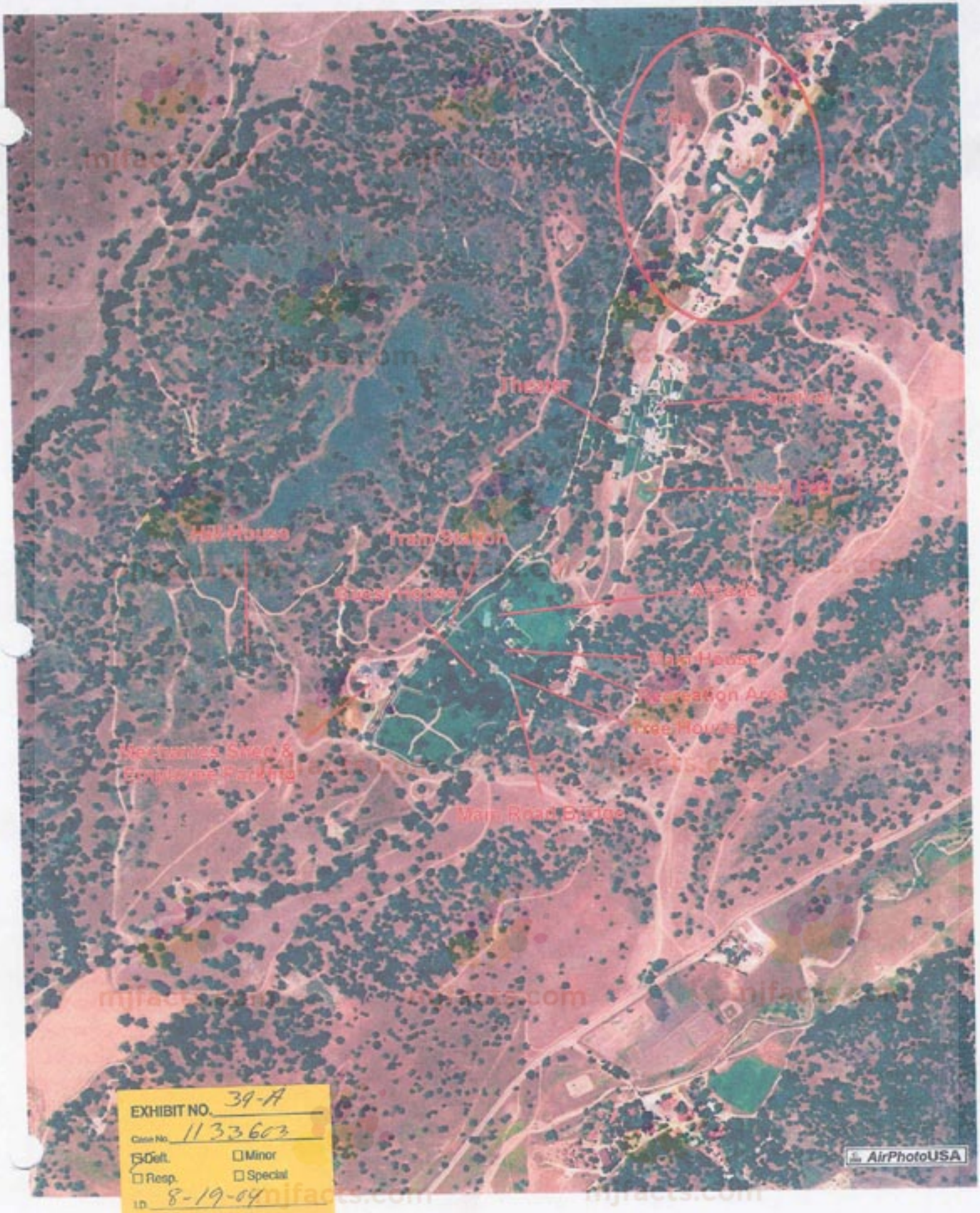


EXHIBIT NO. 39-A
Case No. 1133603
☒ Deft. ☐ Minor
☐ Resp. ☐ Special
I.D. 8-19-04
Rec'd 8-19-04
CLERK M. BLAIR

884686 EXHIBIT 4

EXHIBIT NO. 39-B
Case No. 1133603
☒ Deft. ☐ Minor
☐ Resp. ☐ Special
I.D. 8-19-04
Evid. 8-19-04
GARY M. BLAIR
By

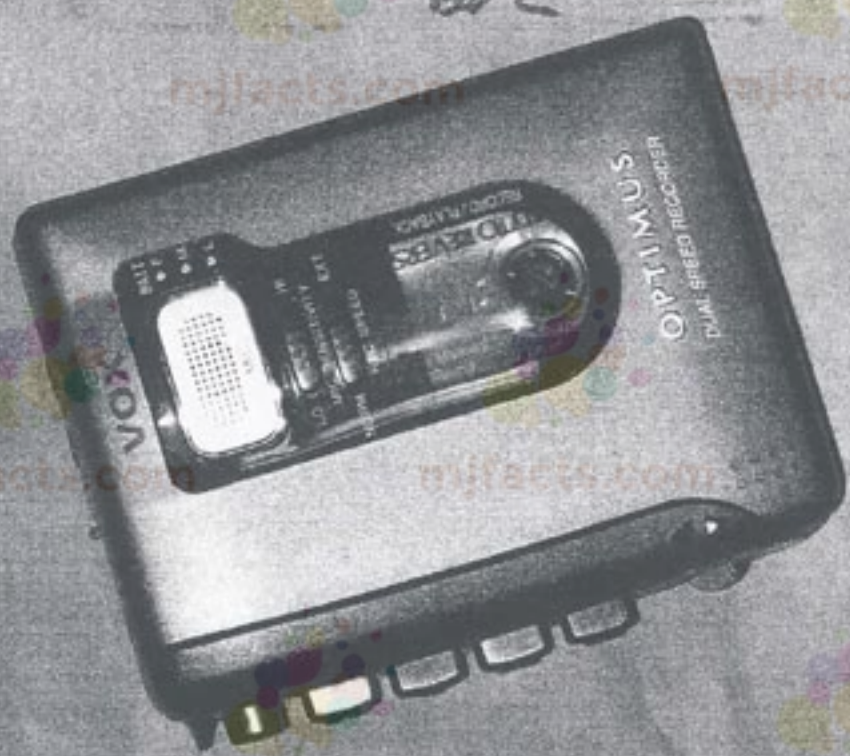
SHERIFF
Santa Barbara County
EVIDENCE

Case No. 03-5670
Crime 288 PC
Date 11-18-03 Time 2203
Suspect
Victim
Location MASTER BATHROOM SAFE
Deputy SGT.
Contents CASSETTE RECORDER

122980
#367

Box 2

EXHIBIT NO. 47.
Case No. 1133603
☒ Det. ☐ Minor
☐ Resp. ☐ Special
I.D. 8-20-04
Evid.
GARY M. BLAIR
By Lorna Fong
SB1 Rev. 4-95



SHERIFF
Santa Barbara County
EVIDENCE

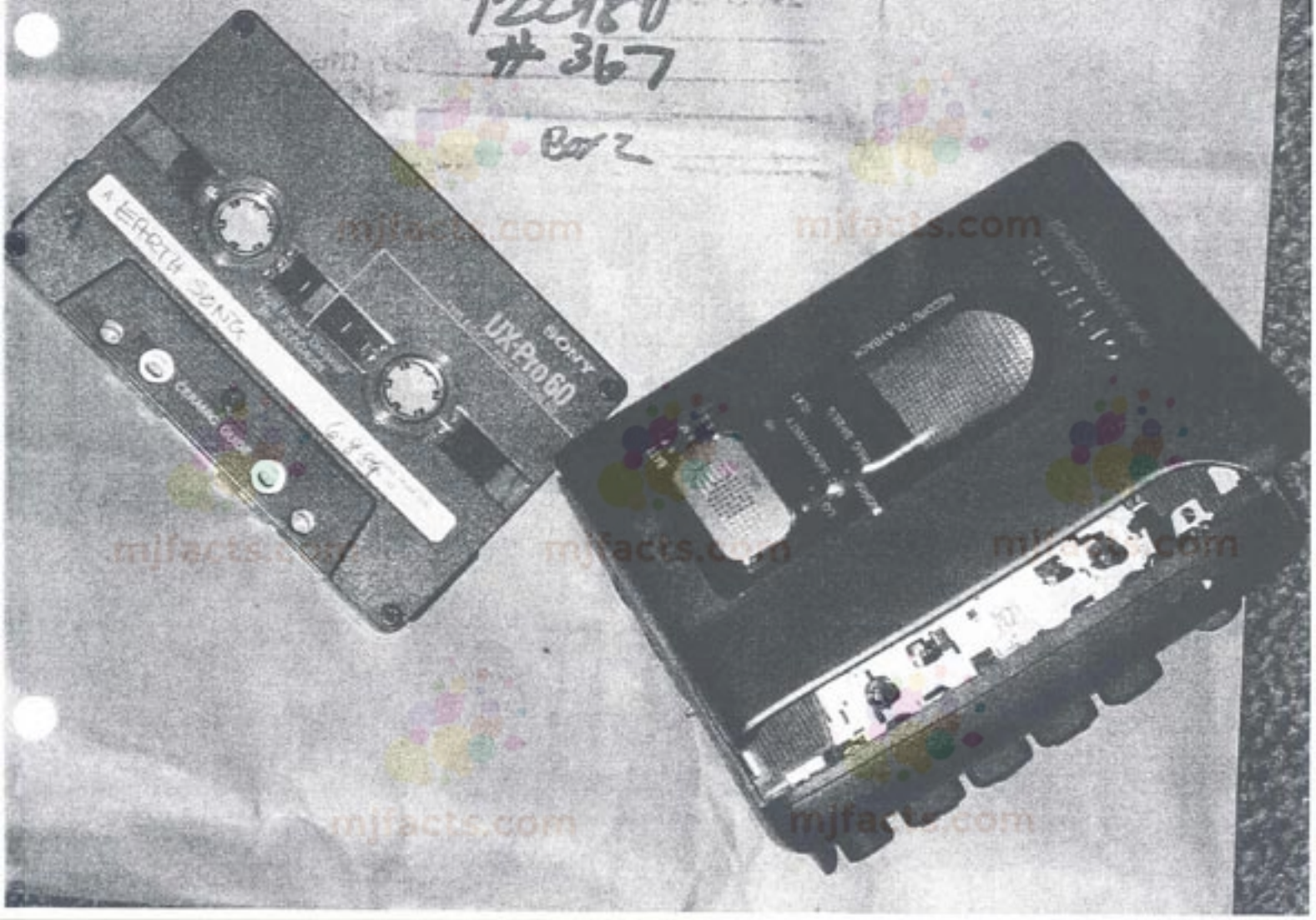
Case No. 03-5670
Charge 288 PC
Date 11-18-03 Time 2205
Suspect
Victim
Location MASTER BEDROOM SAFE

Deputy SGT.
Contents CASSETTE RECORDER

FOR PROPERTY USE ONLY

122980
#367

Box 2




SONY
UX-Pro 60
TYPE II (CrO2) HIGH BIAS 70μs EQ
High Power Uniaxial
Br 2000Gauss
CERAMIC GUIDE

#48

EXHIBIT NO. 50
Case No. 1133603
(X) Deft. ☐ Minor
☐ Resp. ☐ Special
I.D. 9-16-04
Evid. 9-16-04
GARY M. BOWER
By Donna Fry
Rev. 4

EXHIBIT NO. 80-A
Case No. 1133603
☒ Deft. ☐ Minor
☐ Resp. ☐ Special
I.D. 9-16-04
Exit. 9-16-04
GARY M. BLAIR
By Lorna Ring
501 (Rev. 4-89)

PROOF OF SERVICE

1013A(1)(3), 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 NOVEMBER 17, 20 04, I served a copy of the attached ORDER FOR RELEASE OF REDACTED DOCUMENTS (EXHIBITS 23-27, 31-33, 39A-39B, 47-48, 50, 50A FROM Pen. C. § 1538.5 HEARINGS) (PARTS 1 AND 2) addressed as follows:

THOMAS A. MESEREAU, JR.
COLLINS, MESEREAU, REDDOCK & YU, LLP
1875 CENTURY PARK EAST. 7TH FLOOR
LOS ANGELES, CA 90067

THOMAS W. SNEDDON, JR.
DISTRICT ATTORNEY'S OFFICE
1112 SANTA BARBARA STREET
SANTA BARBARA, CA 93101

X FAX

By faxing true copies thereof to the receiving fax numbers of: (310) 861-1007 (Thomas Mesereau, Jr.); (805) 568-2398 (Thomas Sneddon). Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(i), 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 the person having charge thereof or by hand delivery to the above mentioned parties.

___ EXPRESS MAIL

By depositing such envelope in a post office, mailbox, sub-post 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 17TH day of NOVEMBER, 20 04, at Santa Maria, California.

Carrie L Wagner

CARRIE L. WAGNER