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1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 IN AND FOR THE COUNTY OF SANTA BARBARA
3 SANTA MARIA BRANCH; COOK STREET DIVISION
4 DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

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7 THE PEOPLE OF THE STATE OF)

8 CALIFORNIA,)

9 Plaintiff,)

10 -vs-) No. 1133603

11 MICHAEL JOE JACKSON,)

12 Defendant.)

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17 REPORTER'S TRANSCRIPT OF PROCEEDINGS

18

19 FRIDAY, MAY 6, 2005

20

21 8:30 A.M.

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23 (PAGES 9207 THROUGH 9271)

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28 BY: Official Court Reporter 9207

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1 I N D E X

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3 Note: Mr. Sneddon is listed as "SN" on index.

4 Mr. Zonen is listed as "Z" on index. Mr. Auchincloss is listed as "A"
on index.

5 Mr. Mesereau is listed as "M" on index. Ms. Yu is listed as "Y" on
index.

6 Mr. Sanger is listed as "SA" on index.

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9 DEFENDANT'S

10 WITNESSES DIRECT CROSS REDIRECT RECROSS

11 ROBSON, Joy 9210-M 9218-SN 9262-M

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1 Santa Maria, California

2 Friday, May 6, 2005

3 8:30 a.m.

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5 THE COURT: (To the bailiff) Gosh, you don't

6 have to shout.

7 (Laughter.)

8 THE COURT: Good morning.

9 Call your next witness.

10 MR. MESEREAU: Yes, Your Honor. The next

11 defense witness is Joy Robson.

12 THE COURT: Please raise your right hand,

13 face the clerk right here.

14

15 JOY ROBSON

16 Having been sworn, testified as follows:

17

18 THE WITNESS: I do.

19 THE CLERK: Please be seated. State and

20 spell your name for the record.

21 THE WITNESS: I'm Joy Robson. It's J-o-y;

22 R-o-b-s-o-n.

23 THE CLERK: Thank you.

24

25 DIRECT EXAMINATION

26 BY MR. MESEREAU:

27 Q. Good morning, Miss Robson.

28 A. Good morning. 9210

1 Q. Miss Robson, where is your home?

2 A. In Sherman Oaks, California.

3 Q. And do you know the fellow seated at counsel

4 table to my right?

5 A. Yes, I do.

6 Q. Who is he?

7 A. That's Michael Jackson.

8 Q. How long have you known him?

9 A. 18 years.

10 Q. And how did you meet Mr. Jackson?

11 A. Originally, in Australia in --

12 Q. I think you need to speak up a little bit.

13 A. Sorry. In Australia. He was touring on the

14 "Bad" tour, and my son Wade was five years old and

15 won a Michael Jackson look-alike/dance-alike

16 competition.

17 Q. Did you develop a friendship with Michael

18 Jackson?

19 A. Not immediately. Two years later, we

20 returned to the United States for -- Wade was

21 dancing here, and we reassociated with him at that

22 point, and became friends from there, from 1989.

23 Q. Are you still Michael Jackson's friend?

24 A. Absolutely.

25 Q. Have you been to Neverland?

26 A. Many times.

27 Q. How many times do you think you visited

28 Neverland? 9211

1 A. I have no idea. We average about four times

2 a year since we've lived in the United States, which

3 is 14 years now, and quite a few times before that.

4 Q. Do you remember the first time you visited

5 Neverland?

6 A. Yes. It was in January of 1990.

7 Q. And how did you end up visiting Neverland?

8 A. When we were here, we called around, trying

9 to find Michael again. He had told us if we

10 returned to the United States to contact him. So we

11 called around, and we eventually were put onto his

12 personal assistant, which at that time was Norma

13 Stakos, and they called Michael.

14 He remembered us, and said he would like to
15 see us again. So we met him at a recording studio
16 where he was working at the time.

17 Q. And did you stay at Neverland on that first
18 visit?

19 A. Yes, he invited us to stay that weekend, so
20 we did. We went -- we were touring the United
21 States, we were here on vacation as well. We went
22 away for the week, and came back for the second
23 weekend.

24 Q. Have you seen Michael Jackson's bedroom at
25 Neverland?

26 A. Yes.

27 Q. When did you first see Michael Jackson's
28 bedroom at Neverland? 9212

1 A. That first weekend when we stayed with him.

2 Q. Ever stayed in that room yourself?

3 A. No.

4 Q. Do you recall your son staying in Michael
5 Jackson's room at Neverland?

6 A. Yes.

7 Q. And explain that, if you would.

8 A. Well, the first -- the first night they had
9 been out doing the usual thing at Neverland,
10 playing. And later that night, they all came back
11 to the suite where my husband and I were staying,

12 and my parents were with us, as well. We were all
13 talking in the suite.

14 And Wade had been impersonating Michael for
15 some time and had lots of costumes of Michael's that
16 we had made. And Michael was looking at them, and
17 we were just all discussing those.

18 And then it was getting late, and my
19 children said to me, both Chantel and Wade, my
20 daughter, said, "Can we stay with Michael."

21 And my husband and I sort of looked at
22 Michael, and said, "Well, if that's okay with you."

23 And he said, "Oh, absolutely. If they'd like to
24 stay, that's fine."

25 Q. And did you allow your son and daughter to
26 stay in his room?

27 A. Yes.

28 Q. How many times do you think your son and 9213

1 daughter stayed in his room?

2 A. Many times. I have no idea.

3 Q. Did you ever have a problem with them doing
4 that?

5 A. Not at all.

6 Q. Have you ever traveled with Mr. Jackson?

7 A. Only once. We went to Las Vegas with him.

8 Q. What was the purpose of that trip?

9 A. We went to see Siegfried & Roy.

10 Q. How did you get to Las Vegas for that trip?

11 A. We went on a private jet. I think it

12 belonged to Steve Wynn. We were staying at The

13 Mirage.

14 Q. And did you stay at The Mirage Hotel?

15 A. Yes.

16 Q. And where did you stay?

17 A. We had a penthouse suite. There were two

18 bedrooms, and I stayed in one of them.

19 Q. And who stayed in the other room?

20 A. Michael and Wade sort of went between both

21 rooms. He did stay in Michael's room most of the

22 time.

23 Q. And were you ever in Michael's room on that

24 trip?

25 A. Yes. As a matter of fact, we spent a whole

26 day sitting in bed, the three of us, eating popcorn,

27 watching cartoons.

28 Q. Ever see anything inappropriate happen on 9214

1 that trip?

2 A. Never.

3 Q. Ever see anything inappropriate happen at

4 Neverland?

5 A. Never.

6 Q. Okay. When's the last time you spoke to

7 Michael Jackson?

8 A. Two weeks ago. We visited his children at
9 Neverland.

10 Q. Okay. And do you consider yourselves
11 friends of the family of Mr. Jackson?

12 A. We consider us very good friends, if not
13 family.

14 Q. Okay. Did Mr. Jackson ever use the word
15 "family" to describe you and your children?

16 A. Yes.

17 Q. Okay. Did you ever have any problem with
18 that?

19 A. Never.

20 Q. Ever seen Mr. Jackson hug your children?

21 A. Mr. Jackson hugs everyone.

22 Q. Ever seen Mr. Jackson kiss your children on
23 the cheek?

24 A. Yes.

25 Q. Did you ever have a problem with that?

26 A. No.

27 Q. Ever see Mr. Jackson hold any of your
28 children by the hand? 9215

1 A. I think so, yes.

2 Q. Did you ever have a problem with that?

3 A. No.

4 Q. Ever seen Mr. Jackson playing with your
5 children?

6 A. Yes.

7 Q. And what did you see him do?

8 A. He'd play -- I've seen him play games,
9 hide-and-seek. I've seen them climb trees. I've
10 seen them play in the water fort at the ranch. They
11 play constantly.

12 Q. Did you ever have any problem with any of
13 that?

14 A. No. We all did it together often. We
15 were -- all played together.

16 Q. How would you describe Neverland?

17 A. I would have once said the happiest place on
18 earth. I -- I always felt that when we arrived at
19 Neverland, you forgot all your problems, you forgot
20 everything. It seemed like a world on its own. You
21 would drive in there, and it was very serene, very
22 peaceful, very beautiful. Inspirational. And
23 everything was perfect when you drive out and
24 reality would hit again.

25 Q. What did you like to do there?

26 MR. SNEDDON: Object as immaterial, Your
27 Honor.

28 THE COURT: Sustained. 9216

1 Q. BY MR. MESEREAU: What did you do at
2 Neverland?

3 MR. SNEDDON: Object as immaterial.

4 MR. MESEREAU: They put an issue what

5 Neverland's all about, Your Honor.

6 THE COURT: The objection is overruled.

7 Q. BY MR. MESEREAU: What did you do at

8 Neverland?

9 A. We watched movies. I particularly liked the

10 chimpanzees. I spent a lot of time playing with the

11 chimps. All the animals, I enjoyed. We would play

12 on the water fort. We'd drive the quads around the

13 hills. Just a fun time always.

14 Q. And did you ever meet someone named Blanca

15 Francia?

16 A. When you say "meet" her, I mean, I knew she

17 was working there, and I basically would say "Good

18 morning" to her if I saw her, but that would be the

19 extent of it.

20 Q. Ever see your son in a shower with Michael

21 Jackson?

22 A. No. Never.

23 Q. Ever seen the Jacuzzi at Neverland?

24 A. Yes.

25 Q. Ever been in it yourself?

26 A. Yes.

27 Q. How many times, do you think?

28 A. Oh. Maybe six or eight times. 9217

1 Q. Now, to your knowledge, has your daughter

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2 ever been in Michael Jackson's room at Neverland?

3 A. Yes.

4 Q. And did she ever stay over there, to your

5 knowledge?

6 A. Yes.

7 Q. Did you have any problem with that?

8 A. Not at all.

9 MR. MESEREAU: No further questions.

10 THE COURT: Cross-examine?

11

12 CROSS-EXAMINATION

13 BY MR. SNEDDON:

14 Q. Good morning.

15 A. Good morning.

16 Q. Before you testified here today, did you

17 review any documents?

18 A. I did review my testimony from the grand

19 jury last time, and the civil suit.

20 Q. Mr. Feldman's grand jury --

21 A. Yes.

22 Q. -- deposition?

23 A. Yes.

24 Q. Okay. Good. I just want to go back and see

25 if we can discuss some of the things you testified

26 about this morning.

27 As I recall, you first met the defendant at

28 a dance contest in Australia, correct? 9218

1 A. Correct.

2 Q. And that was in what year?

3 A. That was in 1987.

4 Q. And then your first trip to America was --

5 or maybe not the first trip, but in 1990, in

6 January, you came here with the dance troupe,

7 correct?

8 A. Yes.

9 Q. And the time that you met Mr. Jackson in

10 Australia was in connection with your son winning a

11 dance contest?

12 A. Yes.

13 Q. And the occasion of you meeting Mr. Jackson

14 was you were brought behind the stage with a lot of

15 other people who were back there; is that right?

16 A. It was a meet-and-greet situation, yes.

17 Q. There wasn't a lot of substance to it?

18 A. No, it was just, "How are you? It's a

19 pleasure to meet you," type of thing.

20 Q. Okay. And then the next time that you meet

21 Mr. Jackson is when you come to the United States in

22 January of 1990, correct?

23 A. Yes.

24 Q. And when you came here, there were no

25 arrangements when you first came here to meet with

26 Mr. Jackson?

27 A. No.

28 Q. And it was as a result of you making contact 9219

1 with Norma Stakos that you were able to make contact

2 with Mr. Jackson, correct?

3 A. Yes.

4 Q. And then you were invited up to the ranch,

5 as I understand it, for a weekend?

6 A. Correct.

7 Q. So you weren't there for an entire week?

8 A. No.

9 Q. Just for the weekend?

10 A. Yes.

11 Q. And when you went there for the weekend, the

12 first night, your son and daughter spent the night

13 in Mr. Jackson's bedroom, correct?

14 A. Yes.

15 Q. Now, as I understand it, then, this was only

16 the second time that you had met Mr. Jackson; is

17 that correct?

18 A. Yes.

19 Q. And the first time you'd really met him on a

20 one-on-one personal basis, correct?

21 A. Yes.

22 Q. And how old was your son at this time?

23 A. When we were at Neverland?

24 Q. Yes, ma'am.

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25 A. He was seven.

26 Q. Seven. How old was your daughter?

27 A. Ten.

28 Q. So your son and your daughter spent the 9220

1 first night with Mr. Jackson, and this was really

2 the first night you'd ever met Mr. Jackson, that's

3 correct, on a substantive level?

4 A. Well, basically we'd spent the day with him,

5 yes.

6 Q. That was the first time?

7 A. Yes.

8 Q. Now, did you know that your son and daughter

9 spent the night with Mr. Jackson in his bed?

10 A. They did not.

11 Q. They did not.

12 A. They slept on the mezzanine level.

13 Q. That's your belief?

14 A. That's what they had told me.

15 Q. So that -- if your son testified here in

16 trial yesterday that he slept in the same bed with

17 Michael Jackson with his sister, that would be

18 inconsistent with what he told you before?

19 A. That was the second night.

20 Q. I'm asking you the first night.

21 A. Well, that's -- what I've been told by my

22 daughter and my son was the first night they slept

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23 on the mezzanine level.

24 Q. So it would be correct that if your son
25 testified to that yesterday, that on the first night
26 he and his sister slept with Mr. Jackson in Mr.
27 Jackson's bed, that statement would be inconsistent
28 with what they had told you before? 9221

1 MR. MESEREAU: Objection. Improper
2 question, referring to the testimony.

3 THE COURT: I'll sustain the objection.

4 Q. BY MR. SNEDDON: The second night your
5 daughter did not stay with Mr. Jackson?

6 A. She did.

7 Q. The second night also?

8 A. Yes.

9 Q. Both nights?

10 A. Yes.

11 Q. Do you recall telling Mr. Feldman during the
12 deposition that on the second night your daughter
13 did not stay with the defendant?

14 A. Yes, as a matter of fact, when I read that
15 testimony, and my daughter has told me since that my
16 memory was incorrect, that she did stay.

17 Q. So you're basing your testimony here today
18 on something your daughter told you as opposed to
19 what you recall when you were under oath in a
20 deposition?

21 A. Yes.

22 Q. Now, is it your testimony that your husband
23 was present during the first visit?

24 A. Yes.

25 Q. Did you go back for a second weekend?

26 A. Yes.

27 Q. And was there a weekend between, or more
28 than one week in between? 9222

1 A. There was a week in between.

2 Q. So it was the following weekend you went
3 back?

4 A. Yes.

5 Q. And when you went back on that occasion, who
6 was present from your family?

7 A. My husband, my daughter, my son, and my
8 parents.

9 Q. Now, on the occasion of the first visit,
10 were your husband and your parents with you?

11 A. Yes.

12 Q. Do you recall testifying at a deposition
13 that your parents and your husband were in San
14 Francisco on a trip the first time you visited the
15 ranch?

16 A. No, they went -- we were all there for the
17 weekend. They left -- we all left and went to
18 San -- no, they went to San Francisco the second

19 week. We went back to Los Angeles with Michael.

20 Q. The question was, do you recall testifying
21 to that?

22 A. I wouldn't have testified to that.

23 Q. Okay. Now, during that first visit, the
24 first weekend that you were at the ranch, did the
25 subject of your son going on a trip to Japan come
26 up?

27 A. Yes.

28 Q. So this would have been on the first day or 9223
1 the second day?

2 A. I don't recall, I'm sorry.

3 Q. One of those two days, in any case?

4 A. Possibly.

5 Q. And the subject of the conversation was that
6 you had agreed to allow your son to accompany Mr.
7 Jackson on a trip to Japan if they wanted to go,
8 correct?

9 A. I think we talked about it.

10 Q. Well, did you agree to allow him to go with
11 Mr. Jackson on a trip to Japan?

12 A. I can't remember really. I think I may
13 have, but we decided not to.

14 Q. Mr. Jackson decided he would rather spend
15 time with your son than go to Japan?

16 A. I think the decision was Wade preferred to

17 stay here. Stay at Neverland.

18 Q. So it wasn't Mr. Jackson's decision. It was

19 Wade's decision?

20 A. It was Wade's decision.

21 Q. Do you recall testifying in the deposition

22 with Mr. Feldman that that was Mr. Jackson's

23 decision to decide not to go to Japan, because he

24 wanted to stay and have the time with your son?

25 A. I think what happened was that Wade was

26 given the choice.

27 MR. SNEDDON: Move to strike, Your Honor.

28 THE COURT: Stricken. 9224

1 THE WITNESS: I don't remember testifying to

2 that.

3 Q. BY MR. SNEDDON: During the first weekend

4 trip to Neverland, did you go to Toys-R-Us?

5 A. No.

6 Q. Was that the second weekend?

7 A. I never went to Toys-R-Us.

8 Q. Did your children go to Toys-R-Us?

9 A. Yes.

10 Q. Which one of those weekends did they go?

11 A. I don't recall.

12 Q. But you do recall a trip?

13 A. Yes.

14 Q. And they went with Mr. Jackson?

15 A. Yes.

16 Q. And it was after hours, the store was
17 closed?

18 A. I don't remember.

19 Q. And they were allowed to buy anything -- or
20 allowed to get anything they wanted and Mr. Jackson
21 paid for it, correct?

22 A. I think so.

23 Q. So as I understand it, then, it's your
24 testimony that if Mr. Jackson had wanted to go to
25 Japan with your son, on this first time that you'd
26 met him, that you would have allowed that?

27 A. I doubt that --

28 Q. You had agreed to that? 9225

1 A. I don't think so. I don't think I would
2 have agreed to that.

3 Q. Do you recall testifying in your deposition
4 that you had agreed to allow him to go to Japan?

5 A. No.

6 Q. You had decided early on in your son's
7 career, or life, actually, that you wanted to get
8 him into the entertainment business, correct?

9 A. He decided. Not me.

10 Q. Well, he was five years old.

11 A. Yes. He made that decision at five.

12 Q. At five. It was all his decision?

13 A. Yes.

14 Q. Okay. And you were going to do everything
15 you could as a good mother to try to support that
16 decision, correct?

17 A. Yes.

18 Q. And you felt that your having a good
19 relationship or connection with the defendant in
20 this case could promote that career; isn't that
21 correct?

22 A. That's -- you're putting words in my mouth.

23 I've never said that.

24 Q. I didn't ask you whether you said it or not.

25 I asked you if that's what you were thinking.

26 A. No.

27 Q. You weren't thinking that at all?

28 A. Not at all. 9226

1 Q. You weren't thinking that Mr. Jackson could
2 help propel your son in an entertainment career?

3 A. That was not my motive.

4 Q. I -- I'm not trying to --

5 A. Yes, you are.

6 Q. -- demean your motives.

7 No, I'm not, ma'am. I'm asking a simple
8 question. Did you, in your mind, think that by
9 having a friendship and a connection with Mr.
10 Jackson that could help promote your son's career?

11 A. I can't answer that, because I don't think
12 that that -- you're make -- you're trying to make me
13 say that that was my basis for our friendship, and
14 that's not true.

15 MR. SNEDDON: Move to strike as
16 nonresponsive.

17 THE COURT: Stricken.

18 Q. BY MR. SNEDDON: I asked you a question
19 about whose decision it was to cancel the trip to
20 Japan. And I asked you if it was, in fact, Mr.
21 Jackson -- that you had stated previously in your
22 testimony it was Mr. Jackson, and you said you had
23 no recollection of that, correct?

24 A. Yes.

25 Q. And did you have a chance to review your
26 deposition for Mr. Feldman prior to coming to court
27 here today?

28 A. I don't remember reading that. 9227

1 Q. Would it help you to refresh your
2 recollection if I showed you the deposition?

3 A. Yes.

4 MR. SNEDDON: With the Court's permission,
5 Your Honor.

6 THE COURT: You may.

7 MR. SNEDDON: Or Mr. Mesereau? Bob?

8 MR. MESEREAU: That's okay.

9 Q. BY MR. SNEDDON: The procedure is you just
10 read that to yourself quietly, and then I'll ask you
11 a question, okay? And I want to direct your
12 attention to page 181, and from lines 4 to line 9.
13 And you can read anything else you want.

14 A. Okay.

15 Q. Having read that, does that refresh your
16 recollection as to whose idea it was to cancel the
17 trip to Japan?

18 A. Well, it says that Wade was given the
19 choice, and Wade preferred to stay at Neverland.

20 Q. It says, "After the first weekend that we
21 were there, he cancelled the trip because he wanted
22 to stay and spend some time with us," does it not?

23 A. If you read further down.

24 Q. Yeah, it says, "But he asked to go on this
25 trip with your son," and "I offered to let Wade go
26 with him"?

27 A. Further.

28 Q. Do you want me to read the whole thing? 9228

1 A. No, just a couple, few more lines.

2 Q. It doesn't get any better.

3 A. Just a few more lines. It will say exactly
4 what I said.

5 Q. And then Wade had a choice of going to Japan
6 or staying at Neverland, and he chose to stay?

7 A. Yeah. That's what I said, Wade was given
8 the choice. And he decided to stay at Neverland.

9 Q. But it was the defendant's choice not to go
10 to Japan, as you testified.

11 A. He had a business trip and he cancelled it,
12 and because Wade decided to stay at Neverland, but
13 it was Wade's choice.

14 Q. Thank you.

15 After this trip, you went back to Australia,
16 correct?

17 A. Yes.

18 Q. And before we get to when you come back,
19 which I think is in May of 1990, correct?

20 A. Yes.

21 Q. Okay. I want to ask you a few things about
22 the tour of the house. And when you went to the
23 house at Neverland Ranch, did you go throughout the
24 entire house?

25 A. The first trip?

26 Q. Yes, ma'am.

27 A. Actually, yes.

28 Q. So you were shown the entire house? 9229

1 A. Yes.

2 Q. Including Mr. Jackson's bedroom?

3 A. Well, actually, we arrived before Mr.

4 Jackson, my parents and I. And Mark Quindoy showed

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5 us through the house.

6 Q. Okay.

7 A. I don't think we went into Michael's bedroom
8 initially.

9 Q. At some point during that tour or during
10 that weekend, did you go into Mr. Jackson's bedroom?

11 A. Yes.

12 Q. When you go into Mr. Jackson's bedroom, you
13 walk down a hallway before you get to the entrance
14 to the door to his bedroom, correct?

15 A. Yes.

16 Q. And as you go down that hallway and you
17 approach the door, a little chime goes off, correct?

18 A. Yes.

19 Q. And the door cannot be opened from the
20 outside, correct, it's locked?

21 A. I think so, yes. From memory.

22 Q. Now, when you went through the rest of the
23 house, did you find any chimes that went off in any
24 of the other rooms in the house?

25 A. No.

26 Q. And it's true, is it not, that none of the
27 other doors in the house had locks on them?

28 A. There was no one else staying in any of the 9230

1 other rooms.

2 Q. No, I asked you whether there were any other

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3 rooms in the house where you had to have somebody
4 from inside open the door in order to get into the
5 room?

6 A. No.

7 Q. So you were aware of the fact that at the
8 time that you allowed your children to sleep with
9 Mr. Jackson on the first day or night that you met
10 him, that those children were going to be in a
11 location which you could not get to without somebody
12 from the inside opening the door, correct?

13 A. Yes.

14 Q. Is there something funny about that?

15 A. I just -- it's not a problem.

16 Q. I can understand. You weren't concerned
17 about it at all?

18 A. Not at all.

19 Q. Somebody you just met?

20 A. I -- I think there's a certain trust that we
21 developed immediately. Nothing ever crossed my mind
22 that there would be a problem there.

23 Q. In May, when you came back, it was for the
24 purpose of your son participating in an L.A. Gear
25 commercial?

26 A. Yes.

27 Q. And who arranged for him to be in that
28 commercial? 9231

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1 A. Michael.

2 Q. And Mr. Jackson paid his way over here,

3 correct?

4 A. L.A. Gear paid.

5 Q. And how did you -- how was yours paid?

6 A. L.A. Gear. He was a minor.

7 Q. L.A. Gear paid for that?

8 A. Yes, they have to if a minor's working.

9 Q. Do you recall testifying at your deposition

10 that that was paid for by Mr. Jackson?

11 A. I testified that L.A. Gear paid for it. I

12 read that when I reviewed it.

13 Q. Now, at the time that you came over here for

14 the L.A. Gear commercial, you were staying in The

15 Holiday Inn?

16 A. Yes. In Westwood.

17 Q. And you were here for approximately six

18 weeks?

19 A. Yes.

20 Q. And Mr. Jackson had a condo right across the

21 street?

22 A. Yes.

23 Q. And you testified before, I believe, that

24 during that six-week period on at least half of the

25 occasions that your son was with Mr. Jackson in Mr.

26 Jackson's bedroom in that condo, correct?

27 A. I think so.

28 Q. And on a couple of those occasions, you 9232

1 actually were in the condo with them and you and
2 your daughter, or you, slept on the floor; do you
3 recall that?

4 A. I think that was the first trip that my
5 daughter and I slept on the floor. It wasn't during
6 that time.

7 Q. The first trip back in January?

8 A. Yes.

9 Q. Was there a time that you visited Mr.
10 Jackson in his condo in January?

11 A. Yes.

12 Q. Now, these visits to The Holiday -- these
13 visits to Mr. Jackson when you were staying at The
14 Holiday Inn, many of those calls from Mr. Jackson
15 were very late at night; isn't that correct?

16 A. Yes, he was working.

17 MR. SNEDDON: Move to strike as
18 nonresponsive, Your Honor.

19 THE COURT: I'll strike the last -- after
20 "Yes."

21 Q. BY MR. SNEDDON: And he would call, and on
22 some occasions you would walk your son across the
23 street, correct?

24 A. Yes.

25 Q. And you'd leave him there and go back to the

26 hotel?

27 A. Yes.

28 Q. And there was just he and Mr. Jackson 9233

1 together?

2 A. Yes.

3 Q. And you knew that at that particular point

4 in time, that he was sleeping with Mr. Jackson in

5 Mr. Jackson's bed, correct?

6 A. Yes.

7 Q. When you came over to make the L.A. Gear

8 commercial, did your husband come with you?

9 A. No.

10 Q. At this point in time, were you and your

11 husband separated?

12 A. No.

13 Q. And your daughter didn't come with you?

14 A. No. She was in school.

15 Q. Okay. Now, during the six-month period, I

16 want to just concentrate on the period that we're

17 talking about, the May visit, you also visited the

18 ranch on occasion, did you not?

19 A. Yes.

20 Q. And when you visited the ranch on those

21 occasions, you slept in the guest cottage, correct?

22 A. No, I slept in the house.

23 Q. And where in the house?

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24 A. In the rose bedroom. In the rose bedroom.

25 Q. Okay. And your son slept with Mr. Jackson?

26 A. Yes.

27 Q. Now, do you recall an incident that occurred

28 on Mother's Day during 1990 on a trip to the ranch? 9234

1 A. Yes.

2 Q. And you were upset, correct?

3 A. Yes.

4 Q. And you were crying at one point?

5 A. Yes.

6 Q. And the reason for that was that you had not

7 seen your son all day, correct?

8 A. Yes.

9 Q. And it was Mother's Day?

10 A. That's right.

11 Q. And you found out that the reason that you

12 hadn't seen your son that day was because he had

13 been sleeping all day, correct?

14 A. I think so. Yeah.

15 Q. And you spoke to some people at the ranch

16 about your feelings, did you not, one of the

17 employees?

18 A. I think someone asked me if I was okay.

19 Q. And you told them that you felt that your

20 son would rather be with Michael Jackson than with

21 you, correct?

22 A. I don't remember saying that.

23 Q. Do you know somebody by the name of Charli

24 Michaels?

25 A. Yes.

26 Q. And who is Charli Michaels?

27 A. I think she worked security at the ranch.

28 Q. And did you tell Charli Michaels that you 9235

1 felt that the defendant, Michael Jackson, was

2 separating you from your son?

3 A. I don't recall saying it.

4 Q. Do you recall testifying to that in your

5 deposition with Mr. Feldman?

6 A. No.

7 Q. Would it refresh your recollection if I

8 showed you a copy of the deposition?

9 A. Yes.

10 MR. SNEDDON: May I approach, Your Honor?

11 THE COURT: Yes.

12 THE WITNESS: Okay.

13 Q. BY MR. SNEDDON: Does that refresh your

14 recollection?

15 A. I don't remember saying it, but I testified

16 to it.

17 Q. I'm sorry?

18 A. I said I don't remember saying it, but

19 obviously I testified back then about it. I don't

20 remember saying it.

21 Q. You said that Wade would rather be with
22 Michael than with yourself and you were upset about
23 it?

24 A. Well, I read it, but I honestly don't
25 remember saying it.

26 Q. At the time that you were at the ranch on
27 the first occasions that you were there, to your
28 knowledge, did Michael Jackson have a personal maid? 9236

1 A. Yes.

2 Q. And who was that?

3 A. I don't remember.

4 Q. Do you remember meeting anybody by the name
5 of Blanca Francia?

6 A. I remember her being there. I think she did
7 clean Michael's room, I think.

8 Q. Now, during the time that you -- let me just
9 go through this real quickly so we can get up to the
10 time frame involved here.

11 You came back in May of 1990, correct?

12 A. Yes.

13 Q. And you were here for six weeks, correct?

14 A. Yes.

15 Q. And then you came back again in February of
16 1991, correct?

17 A. Yes.

18 Q. For about seven days?

19 A. Yes.

20 Q. And during the time that you were here in

21 1991, you spent time on the ranch, correct?

22 A. Yes.

23 Q. You and your son?

24 A. Yes.

25 Q. And then in September 1991 -- well, let me

26 go back. When you came here in February of 1991 for

27 seven days, did your husband come with you?

28 A. No. 9237

1 Q. When you visited in September of 1991, you

2 came permanently, correct?

3 A. Yes.

4 Q. You had no intention of going back to

5 Australia?

6 A. No.

7 Q. And you had your son and your daughter with

8 you?

9 A. Yes.

10 Q. And your husband did not come?

11 A. No.

12 Q. And at that point you had been separated

13 from your husband?

14 A. Yes.

15 Q. And then from that point, from September of

16 1991 up till, let's just say, September 1993 -
17 okay? - the time frame involved, you and your son
18 spent a great deal of time with Michael Jackson, you
19 were around him a lot, correct?

20 A. I don't think so.

21 Q. You were not at the ranch on a number of
22 occasions during 1991?

23 A. My memory is in the entire time we've lived
24 here since 1991, we've only been at the ranch with
25 Michael on four occasions in 14 years.

26 Q. Four occasions?

27 A. Every other time we've been here without
28 him. 9238

1 Q. Would that be the same for your son?

2 A. Yes.

3 Q. So --

4 A. He came one -- all the time by himself.

5 Q. You testified that you've been out at the
6 ranch on an average of about four times?

7 A. Four times a year, but Michael was never
8 there.

9 Q. Was that all the way through today?

10 A. Yes.

11 Q. He's never there when you go there?

12 A. Very rarely. I can only remember four times
13 in 14 years that we've been there with him since we

14 have lived here.

15 Q. So when you were testifying for Mr. Mesereau
16 and you were talking about ever seeing any
17 inappropriate touching, there were only on four
18 occasions that you were even at the ranch to see
19 anything, correct?

20 A. Since we've lived here, 1991.

21 Q. You didn't see anything before that, did
22 you?

23 A. No.

24 Q. Do you recall having a conversation in which
25 you -- with June Chandler? Do you know who June
26 Chandler is?

27 A. Yes.

28 Q. June Chandler is whom? 9239

1 A. Jordie Chandler's mother.

2 Q. You've met June Chandler?

3 A. Yes.

4 Q. You've met Jordan Chandler?

5 A. Yes.

6 Q. Jordan Chandler was at Neverland Valley
7 Ranch at the same time as your son, correct?

8 A. We were all there together on one weekend.

9 Q. Okay. And do you recall testifying to a
10 situation in which your son, Wade, was upset because
11 Jordan Chandler was going to spend the night in

12 Michael Jackson's room and Wade had to stay with you
13 in the guest cottage?

14 A. I don't remember that. I remember reading
15 it in my testimony, but I don't remember him being
16 upset.

17 Q. Maybe I'll use a different word.

18 Disappointed?

19 A. Possibly.

20 Q. But you do remember the incident?

21 A. No.

22 Q. You don't?

23 A. No.

24 Q. So when you said you read your transcript,
25 it's in your transcript, right?

26 A. I read it in the transcript, but it's 12
27 years ago. I don't remember it.

28 Q. I understand. Do you have any reason to 9240

1 believe that you would testify to something under
2 oath in a deposition that wasn't true at the time
3 that you said it?

4 A. No, I just don't remember it now.

5 Q. Okay. Do you recall a conversation in which
6 you told June Chandler that some day Jordan was
7 going to be replaced by another one of Michael
8 Jackson's friends?

9 A. Yes.

10 Q. And you referred to these people as "special
11 friends," correct?

12 A. According to my transcript, yes.

13 Q. You don't ever remember using that phrase
14 now?

15 A. No.

16 Q. But you did use it in your transcript back
17 in 1993?

18 A. Yes.

19 Q. And in a conversation you told June Chandler
20 that with these special friends, that when Mr.
21 Jackson moves on to the next special friend, that it
22 has a tremendous emotional impact on the children
23 when they're no longer the favorite, correct?

24 A. As does everybody when they lose a friend.

25 Q. I'm sorry?

26 A. As does everyone if you lose a friend or a
27 friend becomes friendly with somebody else.

28 Q. Did you not, in that conversation, 9241

1 specifically refer to the situation where a young
2 child was a friend of Mr. Jackson's and is replaced
3 by another young child and that that has -- and you
4 were reflecting upon the emotional problems it
5 creates for that child?

6 A. Yes.

7 Q. Now, during the time that you were at the

8 ranch -- you described a situation this morning for
9 the jury, you told them that when you go to
10 Neverland it's like walking through a door and you
11 forget all your worries and all your cares.

12 A. Yes.

13 Q. That's a paraphrase so....

14 Now, it's also true that what happens at
15 Neverland Ranch, is it not, that when children come
16 on the ranch, they sort of lose all of their rules
17 and guidelines for conduct?

18 A. Well, that depends on the child.

19 Q. Okay. With regard to the time you were at
20 the ranch, the children that you saw were your
21 son --

22 A. Yes.

23 Q. -- correct?

24 And your daughter, correct?

25 A. Yes.

26 Q. And you saw Jordan Chandler, correct?

27 A. Once.

28 Q. And you saw Macaulay Culkin? 9242

1 A. I don't think I've been there with Macaulay
2 Culkin.

3 Q. Brett Barnes?

4 A. I've never been there with Brett.

5 Q. With regard to the conduct of your son when

6 he was on the ranch, did he get carried away, do
7 things there that he didn't do other places in terms
8 of manners?

9 A. No.

10 Q. He was perfectly --

11 A. My son was always respectful, always
12 considered it a privilege to be there.

13 Q. Did he ever do anything that you would think
14 that would not be a good thing to do?

15 A. Not that I'm aware of.

16 Q. Are you aware that he was throwing pebbles
17 or rocks at the lions with Mr. Jackson?

18 A. I think that's been paraphrased. I think
19 what they did is they threw them at the cage, not
20 the lion.

21 MR. SNEDDON: Move to strike as
22 nonresponsive, Your Honor.

23 THE COURT: Overruled. Next question.

24 Q. BY MR. SNEDDON: So you make a distinction
25 between throwing them at the cage and the lion
26 itself?

27 A. Absolutely. They were just trying to make
28 the lion roar. All it did was make a noise. 9243

1 Q. I see. How about -- does your son ride the
2 go-carts there?

3 A. Go-carts or the golf carts?

4 Q. The golf carts.

5 A. Yes.

6 Q. Ever have any problems with getting in any
7 accidents while he was there or driving too fast or
8 being admonished for driving too fast?

9 A. He may have been admonished for driving
10 fast. He was never in an accident.

11 Q. The other children that I've mentioned, did
12 you seem them acting out at all at Neverland Ranch?

13 A. I heard stories. I've never seen it.

14 Q. Now, when you testified about Mr. Jackson
15 and his special friends in your deposition, you
16 mentioned that the first of the ones that you knew
17 about was your son Wade in 1990, correct?

18 A. Yes.

19 Q. And then in 1991 was Macaulay Culkin,
20 correct?

21 A. Yes.

22 Q. And in 1992, Brett Barnes, correct?

23 A. I think so.

24 Q. And then in 1993, towards the end, was
25 Jordan Chandler, correct?

26 A. Yes.

27 Q. With regard to Brett Barnes, you went to
28 Chicago with your -- or I should ask you this: Did 9244

1 you go to Chicago with your son to shoot a

2 commercial?

3 A. A music video, yes.

4 Q. And did you go there?

5 A. Yes.

6 Q. And with your son?

7 A. Yes.

8 Q. And did you meet Brett Barnes there?

9 A. Yes.

10 Q. And was Brett Barnes with the defendant?

11 A. Yes.

12 Q. And in fact, Brett Barnes was staying with

13 the defendant in the defendant's room, correct?

14 A. I don't know.

15 Q. Did you see whether or not -- did you meet

16 any of the Barnes' parents there?

17 A. His mother and his sister were there on the

18 set.

19 Q. You sure of that?

20 A. Yes.

21 Q. And was it your -- you became aware of the

22 fact that Mr. Jackson referred to some of these

23 young boys as his cousins, correct?

24 A. Yes.

25 Q. And you were asked why Mr. Jackson referred

26 to them as his cousins, correct?

27 A. I was asked?

28 Q. Didn't you say that Mr. Jackson used the 9245

1 term "cousins" because he didn't want the kids to
2 get jealous of each other?

3 A. Yes.

4 Q. Now, do you recall an incident that occurred
5 where you were supposed to catch a plane and you
6 couldn't find your son?

7 A. Yes.

8 Q. And the fact is that you hadn't seen or
9 heard from your son for two or three days?

10 A. I think two.

11 Q. And he had been with Mr. Jackson during that
12 entire time; correct?

13 A. Yes.

14 Q. And I believe what you said was you were
15 upset and you were hurt by this, correct?

16 A. I don't remember that.

17 Q. You called a number of people trying to
18 locate your son, correct?

19 A. I was trying to call Michael, and he was in
20 the recording studio, not answering, not receiving
21 phone calls. And I think I called Neverland to see
22 if they had gone to Neverland.

23 Q. Well, you called Neverland and you got the
24 Quindoy -- Mr. Quindoy, correct?

25 A. I don't remember.

26 Q. Do you know who Mr. Quindoy is?

27 A. Yes.

28 Q. And you were very upset and wanted your son 9246

1 to be returned so he could make the flight?

2 A. I called to ask if they perhaps were at

3 Neverland. That's all I remember.

4 Q. You don't remember saying that you needed

5 your son returned, that you were very upset and you

6 were going to miss the plane?

7 A. No, I don't.

8 Q. Did you call Norma Stakos trying to locate

9 your son?

10 A. Yes.

11 Q. So just to recap just a little bit, when you

12 were in Las Vegas, you went there by jet. Do you

13 know whose jet that was?

14 A. Steve Wynn.

15 Q. I'm sorry?

16 A. Steve Wynn's jet.

17 Q. Steve Wynn. And you went to a hotel?

18 A. Yes.

19 Q. Which is The Mirage?

20 A. Mirage.

21 Q. And you stayed in a suite?

22 A. Yes.

23 Q. And except for the night -- or the day when

24 you all stayed in bed watching cartoons, eating

25 popcorn, your son slept with Mr. Jackson and you
26 slept in the other room?

27 A. It was one night, yes.

28 Q. And now, when you came to the United States 9247

1 in 1991, in September, you came here on a --

2 originally you came here on a visa, temporary visa?

3 A. A six-month visitor's visa.

4 Q. Okay. And your goal was to stay here

5 permanently?

6 A. Yes.

7 Q. And your goal was that you came because Mr.

8 Jackson had indicated to you that he was going to

9 help your son in his career, correct?

10 A. I'm not sure about that.

11 Q. Do you remember testifying in your

12 deposition that the defendant had arranged deals for

13 Wade with his -- Sony records, Sony movies and Sony

14 T.V.?

15 A. No, that came after the fact. After we'd

16 been here. He didn't promise anything when we came.

17 He actually came to work on the "Black and White"

18 video.

19 MR. SNEDDON: Your Honor, move to strike the

20 comments. No question pending.

21 MR. MESEREAU: I'll object, Your Honor, the

22 prosecutor didn't allow her to complete her answer.

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23 THE COURT: Sustained. The request to
24 strike is denied.

25 MR. MESEREAU: May the witness be allowed to
26 complete her answer, Your Honor?

27 THE COURT: Yes.

28 Do you want your answer read back as far as 9248

1 you gave it?

2 THE WITNESS: No.

3 He came here originally in 1991 to work on
4 the "Black or White" video, and we stayed after
5 that. That was the reason for coming in the first
6 place.

7 Q. BY MR. SNEDDON: Okay. I want to ask it
8 again, just to be clear.

9 Did Mr. Jackson tell you, before you left
10 Australia, that he would help you in any way he
11 could with his record company, his movie company,
12 and his television company, and these were three
13 deals that he had organized with Sony, correct?

14 A. There were no deals organized. He did say
15 he would do what he could to help, but there were no
16 deals organized.

17 Q. Would it refresh your recollection if you
18 looked at your testimony before the grand jury?

19 A. There were no deals. If I testified -- I
20 don't think I would have testified to that.

21 Q. Would it refresh your recollection if you
22 looked at it to see whether you testified to that?

23 A. Yes.

24 Okay.

25 Q. Does that refresh your recollection as to
26 what you told the grand jury?

27 A. No. I don't remember that.

28 Q. You don't remember telling them that he'd 9249

1 organized three deals for your son?

2 A. Well, he didn't, so I don't remember it.

3 Q. But that's what you said?

4 A. I don't know what I meant there. There was
5 nothing organized.

6 Q. Did you say in the grand jury that you
7 considered these arrangements to be a personal
8 commitment from Mr. Jackson directly to you?

9 A. No.

10 Q. You didn't say that?

11 A. I don't remember saying that. There was no
12 commitment.

13 MR. SNEDDON: May I approach, Your Honor?

14 Q. Would it refresh your recollection if I
15 showed you your testimony before the grand jury?

16 A. Yes.

17 THE COURT: Yes, you may approach.

18 MR. SNEDDON: May I approach?

19 THE COURT: Yes.

20 Q. BY MR. SNEDDON: It's just one line. Or two
21 lines.

22 Does that refresh your recollection as to
23 what you told the Santa Barbara County Grand Jury?

24 A. No.

25 Q. It does not at all?

26 A. No.

27 Q. But you did say that?

28 A. Obviously I did. I have no memory of it. 9250

1 Q. And when you came here in September 1991,

2 Mr. Jackson also helped you with some rent for the
3 first month, correct?

4 A. That was part of the video -- you're always
5 housed when you come to work on a music video.

6 Q. I think the question was did Mr. Jackson pay
7 for your rent the first month you were here?

8 A. Yes.

9 Q. Now, when you came here in September, you
10 also went to work for MJJ Productions, correct?

11 A. No.

12 Q. You -- let's see if I get this right. You
13 had a job in a -- cosmetics?

14 A. Yes.

15 Q. And because you were here on a certain kind
16 of visa, they couldn't pay you; is that correct?

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17 A. They did pay me, but they paid me through
18 Michael Jackson's company.

19 Q. So your checks were from MJJ Productions?

20 A. Well, that makes it sound like MJJ
21 Productions was paying me. They were not.

22 Q. I just -- the question was, the checks came
23 from MJJ Productions?

24 A. They were diverted through Michael Jackson's
25 company.

26 Q. In other words, your company would pay them
27 the money, and then Mr. Jackson's company would pay
28 you the money? 9251

1 A. Yes.

2 Q. Just in all fairness. I'm not trying to
3 trick you.

4 A. Okay.

5 Q. And that arrangement was worked out with the
6 approval and the help of Mr. Jackson, correct?

7 A. I think so. I'm -- I mean, I didn't speak
8 to him about it. I spoke to Norma Stakos about it.

9 Q. Do you recall telling and testifying to the
10 fact that what actually happened in September of
11 1991 is that Mr. Jackson was your sponsor when you
12 came to the United States with your son?

13 A. Not initially. We were here for six months
14 and then he offered, he offered to sponsor after we

15 arrived.

16 Q. You mentioned to this jury that at some
17 point in time, you realized that your son was
18 spending time in bed with Mr. Jackson, correct,
19 sleeping in the same bed with Mr. Jackson?

20 A. Correct.

21 Q. Okay. And in fact, you indicated in prior
22 testimony that you realized that and knew that early
23 on in the relationship between your son and Mr.

24 Jackson, correct?

25 A. Correct.

26 Q. Okay. We're almost done.

27 Let's fast-forward a little bit to 1993.

28 You were -- you were at the ranch in 1993 and Jordan 9252

1 Chandler was there, correct?

2 A. Yes.

3 Q. And in 1993, that was the occasion of you
4 having the conversation with Mrs. Chandler that
5 you've described to the ladies and gentlemen of the
6 jury previously, correct?

7 A. Correct.

8 Q. And during this particular point in time,
9 not January, but in 1993, at some point, your son
10 was in the process of putting together an album deal
11 where he -- he or somebody with him would cut some
12 records, correct?

13 A. Correct.

14 Q. And the negotiations began on that deal
15 when?

16 A. From memory, June of '93.

17 Q. And I think you described that process as
18 about a six-month process?

19 A. Well, it varies. But that one took that
20 long, yes.

21 Q. And the deal was finally signed on December
22 6th, 1993, correct?

23 A. Correct.

24 Q. And the deal was signed with -- with MJJ
25 Productions, correct?

26 A. Correct.

27 Q. And in the deal, your son -- not your son --
28 the total deal was for \$100,000, correct? 9253

1 A. The production company.

2 Q. Right. And your son's share of that was
3 \$30,000?

4 A. Correct.

5 Q. And 15,000 of that was given as an advance?

6 A. I think so.

7 Q. And this was in December of 1993, correct?

8 A. I don't really remember. I think according
9 to the transcripts that's what it said.

10 Q. And you took -- well, let me go back. There

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11 was a period of time -- where were you on
12 Thanksgiving? Do you remember where you went
13 Thanksgiving? Did you go to New York Thanksgiving?

14 A. I read the transcript. We were in New York
15 recording.

16 Q. Okay. With who?

17 A. With the production company and they were
18 recording for the album.

19 Q. Okay. And up until the point of

20 Thanksgiving of 1993, the record deal had not been
21 finalized yet between your son and their
22 representatives and Mr. Jackson's company, correct?

23 A. Correct.

24 Q. And there had been -- there had been some
25 delay in the signing of the contracts, correct?

26 A. Yes.

27 Q. And one of the things that had happened in
28 between the time that you first started negotiating 9254

1 the contracts in June or July and December 6 when
2 you finally signed the contract with Mr. Jackson's
3 company was that Jordan Chandler had gone to the
4 Department of Social Services in the Los Angeles
5 District Attorney's Office and reported that he'd
6 been molested by Michael Jackson, correct?

7 MR. MESEREAU: Objection. Objection;

8 assumes facts not in evidence.

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9 MR. SNEDDON: I'm asking what she's aware
10 of, Your Honor, and it has to do with motive and
11 bias.

12 THE COURT: Just a moment.

13 MR. MESEREAU: No foundation.

14 THE COURT: The objection is overruled.

15 You may answer.

16 Q. BY MR. SNEDDON: You were aware of that,
17 were you not?

18 A. Yes.

19 Q. And in fact -- well, let me ask you this:

20 You know a person, or knew a person by the name of
21 Anthony Pellicano, did you not?

22 A. Yes.

23 Q. And Mr. Pellicano was Mr. Jackson's private
24 investigator, correct?

25 A. Correct.

26 MR. MESEREAU: Objection; beyond the scope.

27 THE COURT: Overruled.

28 Q. BY MR. SNEDDON: And Mr. Pellicano was the 9255

1 one who was holding up the deal, correct?

2 A. Correct.

3 Q. He told you that?

4 A. Yes.

5 Q. And the deal was finally signed on December

6 6th because the defendant intervened and said, "Go

7 ahead and sign the deal," correct?

8 A. Correct.

9 Q. In the meantime, Mr. Pellicano had given you

10 a \$12,000 loan, correct?

11 A. 10,000.

12 Q. 10,000, you're right. Absolutely. Pardon

13 me. \$10,000 loan?

14 A. Correct.

15 Q. And did you ever repay that?

16 A. Yes.

17 Q. When?

18 A. I don't remember.

19 Q. Do you have any proof?

20 A. Probably. I don't remember when it was.

21 Q. When's the last time you saw Mr. Pellicano?

22 A. I haven't seen him since. I have not seen

23 him since '93.

24 Q. Since '93. So it's your testimony you paid

25 him back in '93?

26 A. It was sometime after that.

27 Q. Mr. Pellicano was Mr. Jackson's investigator

28 and you had at least four conversations with him, 9256

1 interviews, you and your son, correct?

2 A. Probably.

3 Q. And that was after Mr. Jackson got back in

4 December of 1993?

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5 A. I don't remember.

6 Q. You were asked by Mr. Feldman to give a
7 statement to an investigator, and you refused -- for
8 his office, and you refused to do that, didn't you?

9 A. I don't remember. I'm sorry.

10 Q. Do you remember the Los Angeles Police
11 Department coming to your apartment?

12 A. Yes.

13 Q. And you didn't give them a statement either,
14 did you?

15 A. Yes.

16 Q. You gave them a very brief one and then said
17 you had to go somewhere. Isn't that what happened?

18 A. No, they were trying to interview Wade
19 without me and I told them they were not to do that.

20 Q. Was there some concern on your part that
21 trained law enforcement officers shouldn't talk to
22 somebody who could possibly be a suspect (sic) of a
23 crime?

24 A. I was concerned of manipulation.

25 Q. That the consequence, law enforcement would
26 manipulate your son?

27 A. Absolutely.

28 Q. You felt that your son could be manipulated 9257
1 easily?

2 A. No, but I wasn't going to take that chance.

3 He was ten.

4 Q. You weren't concerned about the fact that
5 the defendant in this case, Mr. Jackson, might
6 manipulate your son?

7 A. No concern at all that he would manipulate
8 my son.

9 Q. But two law enforcement officers, you
10 thought they would?

11 A. Possibly. I don't know them. I know Mr.
12 Jackson.

13 Q. Okay. Now, you received another -- you
14 received actually a loan from Mr. Jackson for
15 \$10,000 in 1992, correct?

16 A. Yes.

17 Q. You never paid that one back?

18 A. No.

19 Q. And did you receive another loan from Mr.
20 Jackson after the record contract was signed?

21 A. I don't think so.

22 Q. Do you recall telling an investigator that
23 you had gotten a loan from Mr. Jackson for \$10,000
24 and you tried to buy a car? Do you remember that?

25 A. He paid -- he paid for the balance of the
26 car.

27 Q. Mr. Jackson did?

28 A. Yes. 9258

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1 Q. That was \$10,000?

2 A. Yes.

3 Q. Now, in December of 1993, after the
4 allegations with Jordan Chandler had surfaced, Mr.
5 Jackson came back to the United States, correct?

6 A. Yes.

7 Q. And on -- to your knowledge, on the very
8 first night he was back he called your son, correct?

9 A. He called me.

10 Q. He called you?

11 A. I think so. From memory.

12 Q. Do you remember testifying that you weren't
13 at the house when the call was made, that you were
14 out with some ladies?

15 A. I do remember reading that, I'm sorry.

16 Q. So you weren't there?

17 A. Possibly.

18 Q. You came home, and then both of you, late in
19 the night, drove to Neverland Valley Ranch, correct?

20 A. Correct.

21 Q. When you got to Neverland Valley Ranch, it
22 was about 1:30 in the morning, correct?

23 A. Correct.

24 Q. When you got there, you went to the guest
25 quarters and your son went to Mr. Jackson's bedroom,
26 correct?

27 A. I don't remember where I slept, but he did

28 go to Michael's bedroom. 9259

1 Q. But he went inside the house?

2 A. Yes.

3 Q. Where was your son going to school when

4 school started in September of 1993?

5 A. I think he was doing home schooling by then.

6 Q. Do you remember him at some point in time

7 going to school with a family named the Kennedys?

8 A. No.

9 Q. He had a close friend?

10 A. No.

11 Q. Do you remember a young boy by the name of

12 Teja, T-e-j-a?

13 A. No.

14 Q. Is the reason that you took your son out of

15 school because the kids at school had found out that

16 he had been sleeping with Michael Jackson and they

17 were making cruel statements about him?

18 A. I took Wade out of school after the fourth

19 grade. He was -- it was before any of this

20 surfaced.

21 Q. So he was not in school during the fifth and

22 sixth grades in the valley?

23 A. Never been in school in the valley.

24 MR. SNEDDON: Okay. May I have a moment?

25 Excuse me just a second, Your Honor, I'm

26 trying to find a report.

27 Okay, let's just do it this way. Ahh, here

28 it is. 9260

1 Q. Kenneth Clark, I'm sorry. Do you know

2 Kenneth Clark.

3 A. No.

4 Q. You don't remember Kenneth Anthony Clark

5 being a good friend of your son's?

6 A. Never heard of him.

7 Q. Did your son ever go to Garden Street School

8 in West Hollywood?

9 A. He went there for the fourth grade.

10 Q. Just the fourth grade?

11 A. Yes.

12 Q. Not the fourth, fifth and sixth grades?

13 A. No. He started with Laurel Springs School

14 when he was -- when he got the record deal.

15 Q. Yeah, 1993.

16 A. He was fifth grade.

17 Q. So it's your testimony that your son was

18 only there in the fourth grade?

19 A. From memory. Maybe part of fifth.

20 Q. And is your testimony that your son never

21 received -- that the home school didn't start at

22 Laurel Springs because of the fact that your son was

23 being teased at school because people found out he

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24 was sleeping in bed with Mr. Michael Jackson?

25 A. He's never been teased at school. He

26 started home-schooling because he was a recording

27 artist and could not be in school. He was

28 traveling. 9261

1 Q. I just asked you is that the case?

2 A. That's the absolute case.

3 MR. SNEDDON: Okay. Thank you. No further

4 questions.

5 THE COURT: Redirect?

6 MR. MESEREAU: Yes, please, Your Honor.

7

8 REDIRECT EXAMINATION

9 BY MR. MESEREAU:

10 Q. Miss Robson, in response to the prosecutor's

11 questions with regard to manipulation you said, "I

12 know Mr. Jackson." Do you remember saying that?

13 A. Absolutely.

14 Q. Please tell the jury what you meant by that.

15 A. Well, I've known Michael for a long time. I

16 know him very well. I've spent many hours talking

17 to him about everything. I feel like he's a member

18 of my family. I know him very well. I trust him.

19 I trust him with my children.

20 Q. Why?

21 A. Because Michael is a very special person.

22 Unless you know him, it's hard to understand. He's
23 not the boy next door. He's Michael Jackson. He's
24 very -- he's just a very unique personality. He
25 loves children. And he has a very pure love for
26 children. And to know him is to love him and to
27 trust him.

28 Q. And when did you begin to know Michael 9262

1 Jackson?

2 A. I felt like I knew him from the very
3 beginning. He just has that wonderful way of making
4 you feel at home; that I felt like I knew him very
5 early on.

6 But particularly in the two years when we
7 were living in Australia before we moved here, and I
8 talked to him every day. We had very long
9 conversations about everything that was going on in
10 his life and my life and my children's lives. And
11 you get to know someone very well when you talk to
12 someone several hours a day over a two-year period.
13 And then once we moved here, too, we
14 continued that. We've always been able to talk
15 about just about anything.

16 Q. Now, the prosecutor asked you about Mother's
17 Day at Neverland?

18 A. Yes.

19 Q. Remember that?

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20 A. Yes, I do.

21 Q. And you learned that Wade and Mr. Jackson
22 were in a recording studio that day, correct?

23 A. Not that day. That was -- that was the time
24 that we were staying in Westwood, and Wade and I had
25 our ticket booked to return to Australia. And he
26 had been at the recording studio with Michael for a
27 couple of days, and I just hadn't heard from them.
28 I know that they were working long hours, and then 9263

1 they'd take off again the next day. And I was
2 getting --

3 MR. SNEDDON: Move to strike as a narrative,
4 Your Honor. Objection.

5 THE COURT: Sustained.

6 Q. BY MR. MESEREAU: Do you remember anything
7 else about that day at the recording studio?

8 A. No, just -- I had called Norma looking for
9 him, and she found them. She said they were in the
10 recording studio and, "Michael is bringing him back
11 to you. They're on their way."

12 Q. To your knowledge, did your son spend a lot
13 of time with Michael Jackson at recording studios?

14 A. Often, yes.

15 Q. And why was that?

16 A. Because Wade was interested in being a
17 recording artist, he was interested in being a

18 producer. He was learning. He loved to be around
19 that and absorb that. He was like a sponge. And
20 he -- that was the relationship that he and Michael
21 had. It was -- a lot of it was a working
22 relationship and Michael was teaching him.

23 Q. Now, the prosecutor asked you questions
24 suggesting that you were allowing your son to be
25 with Michael just to further his career. Is that
26 true?

27 A. Absolutely not.

28 Q. What do you mean? 9264

1 A. He was -- as I say, he was learning things
2 from Michael. Michael was teaching him everything
3 he knew, and he couldn't -- that was part of the
4 friendship, but it was more of a friendship than
5 anything else. And I certainly never asked Michael
6 for anything where my son's career was concerned.
7 I believe in my son, and I moved here for
8 him to further his career. I believed that he could
9 do that.

10 MR. SNEDDON: Objection, Your Honor,
11 narrative.

12 THE COURT: Sustained.

13 Q. BY MR. MESEREAU: Did you allow your son to
14 spend time with Michael Jackson learning the
15 entertainment business?

16 A. Absolutely.

17 Q. Why did you do that?

18 A. Because he was learning from the best.

19 Michael offered to teach him everything he could.

20 He believed in him, so why would I not?

21 Q. Now, your son has had a pretty successful

22 entertainment career so far, right?

23 A. He has.

24 Q. And has he worked exclusively with Michael

25 Jackson or has he done other things on his own?

26 A. He's done most of it on his own.

27 Q. What has he done?

28 A. He's become a choreographer. He started -- 9265

1 MR. SNEDDON: Object as immaterial, Your

2 Honor.

3 THE COURT: Sustained.

4 Q. BY MR. MESEREAU: Well, the prosecutor

5 suggested that you were making decisions about what

6 to do with your children because Michael Jackson

7 could help their careers, correct?

8 MR. SNEDDON: Your Honor, I'm going to

9 object as argumentative and leading.

10 THE COURT: Sustained.

11 Q. BY MR. MESEREAU: Did you ever allow Wade to

12 be with Michael Jackson only because Michael Jackson

13 could help his career?

14 MR. SNEDDON: Object as leading.

15 THE COURT: Overruled.

16 You may answer.

17 THE WITNESS: Never. We were friends first.

18 Q. BY MR. MESEREAU: Why did you allow Wade to

19 spend a lot of time with Michael Jackson?

20 MR. SNEDDON: Object.

21 Q. BY MR. MESEREAU: Please tell the jury.

22 MR. SNEDDON: Asked and answered.

23 THE COURT: Overruled.

24 Q. BY MR. MESEREAU: Please tell that to the

25 jury.

26 A. They enjoyed each other. They -- they were

27 very similar people. I remember Michael telling me

28 early on that it was like looking in the mirror, he 9266

1 saw himself all over again. His interest was

2 because he saw Wade's potential. And Wade loved

3 everything that Michael did and wanted to learn as

4 much as he could.

5 Q. Did you ever lose your trust in Michael

6 Jackson during any point in time that your son was

7 with him?

8 A. Never.

9 Q. Did Mr. Jackson ever do anything that made

10 you suspicious about his behavior towards your son

11 Wade?

12 A. Never.

13 Q. Did Mr. Jackson ever do anything that made
14 you suspicious about his behavior towards your
15 daughter?

16 A. Never.

17 Q. Now, the prosecutor asked you questions
18 about children being jealous if Michael Jackson had
19 another friend who was a child. Do you remember
20 those questions?

21 A. Yes.

22 Q. Please tell the jury what you meant.

23 A. It's like any child who has a favorite uncle
24 or someone in the family that everyone wants to be
25 around.

26 And Michael's the sort of person that
27 everybody wants to be around. He has that sort of
28 aura. So naturally, when he was spending time with 9267

1 one child, another child would be jealous. It's the
2 same in any family, if you spend time with one child
3 more than the other.

4 MR. SNEDDON: Your Honor, I'm going to
5 object.

6 THE COURT: Sustained.

7 Q. BY MR. MESEREAU: The prosecutor asked you
8 questions about Michael Jackson having special
9 friends who were children. Do you remember that?

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10 A. Yes.

11 Q. And what did you mean by that?

12 A. Well, you know, there would be people who
13 would spend time with him at particular times more
14 so than others.

15 It didn't mean that he didn't still spend
16 time with all of them. They were all friends of
17 his. But when he spent particularly more time with
18 one than the other, then they were special for the
19 time.

20 Q. Based upon what you've observed of Mr.

21 Jackson, would it be accurate to say that all over
22 the world children flock to him, don't they?

23 A. Absolutely.

24 MR. SNEDDON: Object. Immaterial; leading.

25 THE COURT: Overruled. The answer is in.

26 Q. BY MR. MESEREAU: And have you seen children
27 from time to time get jealous because Mr. Jackson is
28 being nice to another child? 9268

1 A. Yes.

2 Q. Has that ever appeared unusual to you?

3 A. Not at all.

4 Q. Did you ever see something that you thought
5 was very suspicious when one child would get jealous
6 of Mr. Jackson's attention to another child?

7 A. No, I think that's normal with children.

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8 Q. When you used the term "special friends,"

9 what did you mean?

10 A. I think just the one that he was spending

11 time with for now. That he considered all of his

12 friends special.

13 I don't know why I would have said that.

14 I don't remember saying "special." But I imagine it

15 would have meant just the child that he was spending

16 time with now.

17 Q. When you used the term "special friends,"

18 did you mean to suggest anything criminal was going

19 on?

20 A. Absolutely not.

21 Q. When you used the term "special friends,"

22 did you mean to suggest that anything sexual was

23 going on?

24 MR. SNEDDON: Your Honor, that's a leading

25 question. I object.

26 THE COURT: Sustained.

27 Q. BY MR. MESEREAU: The word "special," you

28 used that term, right? 9269

1 A. Apparently, yes.

2 Q. Why?

3 A. Well, I guess because all children are

4 special and Michael considers them all special.

5 There's nothing -- no -- nothing necessarily of a

6 bad connotation in that.

7 THE COURT: I think it's time for the break

8 now.

9 MR. MESEREAU: Oh.

10 THE COURT: You just took that one breath too

11 long.

12 MR. MESEREAU: Okay.

13 THE COURT: (To the jury) You know, I'm

14 going to take -- you're going to get an extra five

15 minutes because at the end of our break I want to

16 talk to the attorneys. Just so you know, you'll

17 have a little longer break. It's not a long item.

18 Don't worry.

19 (Recess taken.)

20 --o0o--

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28 9270

1 REPORTER'S CERTIFICATE

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4 THE PEOPLE OF THE STATE)

5 OF CALIFORNIA,)

6 Plaintiff,)

7 -vs-) No. 1133603

8 MICHAEL JOE JACKSON,)

9 Defendant.)

10

11

12 I, MICHELE MATTSON McNEIL, RPR, CRR,

13 CSR #3304, Official Court Reporter, do hereby

14 certify:

15 That the foregoing pages 9210 through 9270

16 contain a true and correct transcript of the

17 proceedings had in the within and above-entitled

18 matter as by me taken down in shorthand writing at

19 said proceedings on May 6, 2005, and thereafter

20 reduced to typewriting by computer-aided

21 transcription under my direction.

22 DATED: Santa Maria, California,

23 May 6, 2005.

24

25

26

27 MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

28 9271

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF SANTA BARBARA
3 SANTA MARIA BRANCH; COOK STREET DIVISION
4 DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

5

6

7 THE PEOPLE OF THE STATE OF)

8 CALIFORNIA,)

9 Plaintiff,)

10 -vs-) No. 1133603

11 MICHAEL JOE JACKSON,)

12 Defendant.)

13

14

15

16

17 REPORTER'S TRANSCRIPT OF PROCEEDINGS

18

19 FRIDAY, MAY 6, 2005

20

21 8:30 A.M.

22

23 (PAGES 9272 THROUGH 9437)

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27 REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

28 BY: Official Court Reporter 9272

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28 9273

1 I N D E X

2

3 Note: Mr. Sneddon is listed as "SN" on index.

4 Mr. Zonen is listed as "Z" on index. Mr. Auchincloss is listed as "A"
on index.

5 Mr. Mesereau is listed as "M" on index. Ms. Yu is listed as "Y" on
index.

6 Mr. Sanger is listed as "SA" on index.

8 DEFENDANT'S

9 WITNESSES DIRECT CROSS REDIRECT RECROSS

10 ROBSON, Joy 9299-SN

11 9304-M (Further)

12 ROBSON,

13 Chantal 9306-M 9315-A 9330-M 9337-A

14 9339-M 9342-A (Further) (Further)

15 BARNES,

16 Marie Lisbeth 9343-M 9353-Z 9389-M 9391-Z

17

18 BARNES, Karlee 9396-M 9407-A 9415-M 9417-A

19

20

21

22 E X H I B I T S

23 FOR IN PLAINTIFF'S NO. DESCRIPTION I.D. EVID.

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24

25 895 Sheet of photographs 9372

26 897 Handwritten letter 9380

27

28 9274

1 (The following proceedings were held in
2 open court outside the presence and hearing of the
3 jury:)

4
5 THE COURT: I just know that you're about to
6 call another witness, which, according to my list,
7 would be Chantal Robson; is that correct?

8 MR. MESEREAU: That's correct, Your Honor.

9 THE COURT: And there was a motion to limit
10 testimony on her and also on Karlee Barnes on the
11 same documents. And I've reviewed those documents,
12 and I'm not going to grant the motion. I'll decide
13 the issues on a question-by-question basis.

14 But for your guidance, it seems, based on
15 the attached police reports, that the information
16 that's in those reports would be the type of
17 information that he would be allowed to ask about.

18 MR. MESEREAU: Yes. Thank you, Your Honor.

19 MR. ZONEN: Your Honor, we also filed a
20 motion with regard to Lisbeth Barnes. Is that one
21 that the Court will address at some time?

22 THE BAILIFF: You can't be heard.

23 THE COURT: The Lisbeth Barnes issue, I will
24 rule on that on a case-by-case basis. But I will
25 order that the -- that she not be allowed to give
26 opinions about her -- her opinions about how
27 vigorous, et cetera, a prosecutor Mr. Sneddon is.
28 I've already ruled that's out of bounds, not an 9275

1 issue in this case. It's not going to be a personal
2 attack on him.

3 MR. MESEREAU: Your Honor, if I could just
4 ask for guidance on that issue. Excluding personal
5 attacks, certainly we can discuss with Mr. Sneddon
6 their willingness to cooperate, what he said to
7 them, et cetera, about these issues without making
8 it a personal attack, can't we?

9 THE COURT: Within limits.

10 MR. MESEREAU: Yes.

11 THE COURT: The line there -- there is a
12 probative issue there, but the line about
13 personal -- her opinions of him --

14 MR. MESEREAU: Yes.

15 THE COURT: -- I won't allow that.

16 MR. MESEREAU: Yes.

17 THE COURT: So while we're doing -- I'm going
18 to do one more that was there. Might as well cover
19 it. I don't see this person on your list, though.

20 You had a person named -- there was a question about

21 witness Michael Viner, V-i-n-e-r.

22 MR. SNEDDON: That's --

23 MR. MESEREAU: Michael Viner. Michael

24 Viner. V-i-n-e-r, Your Honor.

25 THE COURT: Yeah. He's not on the list,

26 but --

27 MR. SANGER: I should address that.

28 MR. MESEREAU: I'll address it. 9276

29 THE COURT: What my ruling on that would be,

30 I'm not going to allow him to testify about

31 overhearing the opinion of Mr. Feldman as to

32 veracity. That's not admissible.

33 MR. MESEREAU: If I may, Your Honor, I think

34 we were going to file an opposition, which didn't

35 get filed. Our position was going to be the

36 prosecution allowed -- I believe, I will

37 double-check.

38 THE COURT: I'll withhold that ruling if you

39 intend to file an opposition.

40 MR. MESEREAU: We do.

41 THE COURT: That person's not on the list at

42 this point. But that's where I was going with it

43 based on just what the District Attorney had filed.

44 MR. SANGER: It should be filed now.

45 MR. SNEDDON: Judge, may I address the Court

18 on a matter that I indicated to the clerk that I
19 wanted to take up with the Court?

20 THE COURT: All right.

21 MR. SNEDDON: And I was told I could do it
22 at a later time.

23 THE COURT: All right. What is the issue?

24 MR. SNEDDON: Discovery. We have a --

25 THE COURT: Does it relate to any
26 immediate --

27 MR. SNEDDON: Yes.

28 THE COURT: -- witness right now? 9277

1 MR. SNEDDON: Yes. Not to this lady, but to
2 the future of the day. And it -- I want to alert
3 the Court that we have a very substantial problem,
4 and I'd like to -- I know that the Court doesn't
5 want to keep the jury waiting, but --

6 THE COURT: On which issue?

7 MR. SNEDDON: We got a list with three
8 witnesses, Francine Orozco, Russ Birchim and Jimmy
9 Van Norman. Francine Orozco --

10 THE COURT: What I'm going to do is -- what
11 I'm thinking of doing is letting the jury go an hour
12 or so early today, because there's another issue
13 that Mr. Mesereau wants to take up, so that we can
14 do that when they're not waiting in the hallway.

15 MR. SNEDDON: All right. Your Honor, then I

16 just want to ask one other thing. And while I don't
17 want to hold things up, but I believe that this
18 witness and the witnesses yesterday have testified
19 to their opinion about character. And we filed the
20 brief this morning, so I was just going to ask, when
21 she's excused, that she's subject to re-call. If
22 the Court agrees with us, then we can then
23 cross-examine her further on those topics.

24 THE COURT: All right.

25 MR. SNEDDON: Thank you.

26 THE COURT: The Court has not excused any
27 witnesses yet. Our agreement was that the
28 witnesses, unless specifically asked, I would not 9278

1 excuse them, they're still bound, because both
2 parties have indicated they want to -- they may want
3 to re-call witnesses. So no witnesses have been
4 excused except where I've specifically excused them,
5 and there are very few of those.

6 MR. SNEDDON: Judge, I understand. I wanted
7 to make sure I preserved it as a witness coming back
8 on cross-examination and not having to call her as
9 my own witness. I believe that I would be entitled
10 to cross-examine her on have-you-heard statements
11 based on her testimony. That's all I was trying to
12 do was just to preserve the record for that.

13 THE COURT: All right.

14 MR. SNEDDON: Thank you.

15 THE COURT: I'll have the jury brought in.

16

17 (The following proceedings were held in
18 open court in the presence and hearing of the
19 jury:)

20

21 THE COURT: All right. You may proceed.

22 MR. MESEREAU: Thank you, Your Honor.

23 Q. Miss Robson, the prosecutor asked you
24 questions about borrowing \$10,000. Remember that?

25 A. Yes.

26 Q. Would you please explain why you borrowed
27 \$10,000?

28 A. The first \$10,000, we had been here for, I 9279

1 think, a year, 18 months. And it was a lot more
2 difficult to establish ourselves here than I had
3 anticipated, so Michael offered to help us out for a
4 while. So we borrowed \$10,000 at that point.

5 The second one was a car. I had been here
6 for a while. My credit from Australia cannot be
7 transferred, so I had no established credit in the
8 United States. I was listed as an employee because
9 of the cosmetics company paying through Michael
10 Jackson's company. Because I was being sponsored by
11 MJJ Productions, I was listed as an employee of the

12 company. So I had asked if the company would
13 co-sign for my car because I was unable to get the
14 credit to buy a car, and Michael just offered to pay
15 for it rather than co-sign.

16 Q. Was it -- as you recall, was it his idea to
17 help you or was it your idea?

18 A. I had asked for help. And he was there for
19 me. He was a friend.

20 Q. Okay. Was there anything, as far as you
21 know, improper or illegal about anything you did?

22 A. Nothing.

23 Q. Okay. The prosecutor asked you some
24 questions about whether or not you had borrowed
25 other funds. Do you remember?

26 A. Do you mean the Anthony Pellicano situation?

27 Q. Yes.

28 A. Yes. 9280

1 Q. And what were you referring to?

2 A. Well, that was because the record label --
3 the deal had been held up, and the advance was
4 something that we needed to survive. And because it
5 was held up, Anthony Pellicano offered to loan the
6 money to me until the balance came through from the
7 record deal.

8 Q. Okay. Now, did you ask Mr. Jackson for help
9 from time to time?

10 A. I asked a couple of occasions with the car
11 and the initial 10,000.

12 Q. And he did help you on those occasions?

13 A. Yes.

14 Q. The prosecutor asked you questions about
15 your son's entertainment career. Did you ask for
16 help from Mr. Jackson once in a while as far as your
17 son's entertainment career was concerned?

18 A. No. I had called a couple of time to see
19 if -- when he was doing music videos, to see if he
20 remembered Wade, because he said he would put Wade
21 in his music video. To remind him more than
22 anything. But that was all.

23 Q. And to your knowledge, did Mr. Jackson help
24 Wade with his career?

25 A. Yes, he's always very supportive. He's
26 always very interested in what Wade did with his
27 career. He would check on him. He would ask him to
28 send him -- keep him in touch and send -- when he 9281

1 was doing music production, he would ask him to send
2 him demos of the music that he was producing so that
3 he can listen to it and encourage him and teach him
4 what he was doing correctly and not. Always very
5 supportive, always very interested.

6 Q. Now, were you allowing Wade to spend nights
7 with Mr. Jackson because you just wanted to further

8 his career?

9 A. No.

10 Q. Why were you letting Wade spend those

11 evenings with Mr. Jackson?

12 A. Those evenings just happened because they

13 were having fun together. They would play till all

14 hours of the night. They would watch music videos.

15 They would watch cartoons. And they'd basically

16 just go to sleep.

17 Q. Did you do that with Mr. Jackson as well?

18 A. Yes, I did.

19 Q. How often?

20 A. A couple of times.

21 Q. Okay. The prosecutor asked you questions

22 about Wade and Michael throwing some pebbles at the

23 lion cage. Do you recall that?

24 A. Yes.

25 Q. How -- when did you learn about Wade and

26 Michael throwing some pebbles at a lion cage?

27 A. I think Wade had told me about it at some

28 point after the fact. He was basically telling me 9282

1 that he heard the lion roar. And it didn't roar

2 very often, so I was surprised. And he told me what

3 they did to make it roar.

4 Q. Well, was it your impression that they were

5 engaging in animal cruelty or anything?

6 A. Absolutely not. That's the last thing that
7 either of them would do.

8 MR. SNEDDON: I'm going to object.

9 THE COURT: What was that?

10 MR. SNEDDON: I said I object. It calls for
11 a conclusion. It's narrative. And it's leading.

12 MR. MESEREAU: I think the prosecutor asked
13 her about her knowledge and state of mind.

14 MR. SNEDDON: I'm not objecting to the
15 subject matter. I'm objecting to the form of the
16 question.

17 THE COURT: All right. I'll sustain the
18 objection. Strike the answer. Next question.

19 Q. BY MR. MESEREAU: Who told you about Wade
20 and Michael Jackson throwing some pebbles at the
21 lion cage?

22 A. Wade.

23 Q. And when did he tell you about that?

24 A. I think possibly a day or two after it
25 happened, or that night. I really don't remember.

26 Q. And did he tell you that he had tried to be
27 cruel to an animal?

28 A. No. Wade loves animals. 9283

1 Q. Did he tell you that Michael Jackson had
2 tried to be cruel to an animal?

3 A. No. Michael is -- loves all animals as

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4 well. Neither of them would ever do that.

5 Q. Now, the prosecutor asked you questions
6 about the word "cousin." Do you recall those
7 questions?

8 A. Yes.

9 Q. And did you hear Michael Jackson use the
10 word "cousin" in describing children?

11 A. Yes. He pretty much called everybody
12 cousins, I think.

13 Q. And did you know why he did that?

14 A. No. That's just something that he -- I
15 mean, I think at some point he may have said it so
16 that they weren't jealous of each other, because
17 that tended to happen.

18 Q. Did you ever suspect there was something
19 criminal about Mr. Jackson using the word "cousin"?

20 A. No.

21 Q. Ever think there was something sexual about
22 Mr. Jackson referring to children as his cousin?

23 A. Never.

24 Q. Ever think there was anything inappropriate
25 about Mr. Jackson referring to various children as
26 "my cousin"?

27 A. No.

28 Q. The prosecutor asked you questions about 9284

1 Brett Barnes. Do you know Brett Barnes?

2 A. I don't know him. I'm associated with him.

3 Q. Okay. How so?

4 A. I met him once when he was in Chicago and

5 Michael was shooting the "Jam" music video.

6 Q. Did you maintain any communication with the

7 Barnes family through the years?

8 A. No.

9 Q. Would you call the Barnes family good

10 friends of your family?

11 A. Not at all.

12 Q. Okay. How many times do you think you've

13 traveled with Mr. Jackson?

14 A. Just the once, to Las Vegas.

15 Q. Okay. Now, you referred to Chicago at one

16 point in your testimony.

17 A. Yes.

18 Q. Did you go to Chicago?

19 A. Yes.

20 Q. And what was the purpose for that trip?

21 A. Wade was dancing on the music video "Jam."

22 Q. Okay. And was that a music video involving

23 Mr. Jackson?

24 A. Yes.

25 Q. And was Mr. Jackson in Chicago with you?

26 A. Not with us. He was there.

27 Q. Okay. And what do you mean by "not with

28 us"? 9285

1 A. Well, we weren't staying with him. We were
2 flown in as Wade was working. And we stayed at a
3 hotel. He did the job, and we returned to Los
4 Angeles.

5 Q. And to your knowledge, where did Mr. Jackson
6 stay on that trip?

7 A. I have no idea.

8 Q. Did you see Mr. Jackson on that trip?

9 A. On the set, yes.

10 Q. Did you see him in any other location?

11 A. No.

12 Q. Okay. Do you know approximately when that
13 was?

14 A. I'm not sure. I want to say '92. Maybe in
15 the middle of '92 somewhere.

16 Q. Okay. The prosecutor asked you some
17 questions about whether you were concerned about
18 manipulation. Remember that?

19 A. Yes.

20 Q. Were you ever concerned about Mr. Jackson
21 manipulating you?

22 A. Never.

23 Q. Did you ever tell anyone you were concerned
24 that Mr. Jackson was manipulating Wade?

25 A. No.

26 Q. Ever tell anyone that you were concerned

27 that Mr. Jackson was manipulating your daughter?

28 A. No. 9286

1 Q. Did you use the word "manipulation"?

2 A. Not to my knowledge.

3 Q. Are there any other entertainment-related
4 transactions that you recall either you or your son
5 being involved in with Michael Jackson?

6 A. And what do you mean by "entertainment
7 transactions"?

8 Q. Any type of entertainment, transaction,
9 project. You name it.

10 A. He did three music videos. He did a Pepsi
11 commercial. And the original L.A. Gear photo shoot.
12 I think those are the only things he's ever done
13 with Michael.

14 Q. Did Mr. Jackson, to your knowledge, help
15 Wade with those projects?

16 A. What do you mean by "help"?

17 Q. Any kind of assistance.

18 A. I mean, he offered -- he decided that he
19 wanted -- he would want Wade to work on it, because
20 he was the best person for the job. Other than
21 that, no.

22 Q. Okay. And to your knowledge, when is the
23 last time Wade worked with Mr. Jackson on any
24 entertainment-related project?

25 A. The last thing he -- Michael performed with
26 'N Sync I think on an MTV Music Awards, and Wade was
27 choreographing and directing it. He put that
28 together. 9287

1 Q. Do you know approximately when that was?

2 A. I want to say 2000, something like that.

3 Q. Now, you said that many times you went to
4 Neverland and Mr. Jackson wasn't there, right?

5 A. Yes.

6 Q. And when you did that, how would you arrange
7 to visit Neverland?

8 A. Through his office. Through Evvy.

9 Q. Had Mr. Jackson given you permission to
10 visit Neverland when he wasn't there?

11 A. Yes.

12 Q. And approximately when did he say you could
13 do that?

14 A. He's always said that, that we're welcome
15 any time.

16 Q. And I believe you testified that you were
17 there more times when he wasn't there than when he
18 was there; is that right?

19 A. Absolutely, yes.

20 Q. How many times do you think you visited
21 Neverland when Mr. Jackson wasn't even there?

22 A. Maybe 40, 50 times.

23 Q. And where would you stay when Mr. Jackson

24 wasn't at Neverland?

25 MR. SNEDDON: Object as immaterial, Your

26 Honor.

27 THE COURT: Overruled.

28 You may answer. 9288

1 THE WITNESS: Before he had the children, I

2 would stay in the house. But since he's had the

3 children and they're now the children's bedrooms, we

4 stay in the guest units.

5 Q. BY MR. MESEREAU: How many times do you

6 think you stayed in Mr. Jackson's main house before

7 Mr. Jackson had his own children?

8 A. Maybe 15, 20 times. I'm not sure.

9 Q. And where would you typically stay?

10 A. In the rose bedroom.

11 Q. Please describe to the jury what the rose

12 bedroom is.

13 A. Its a large-sized bedroom with an adjoining

14 bathroom. Hardwood floors. Beautiful wood --

15 carved wooden ceilings. Overlooks the front of the

16 house. It's on the second floor.

17 Q. And how far away is the rose bedroom from

18 Mr. Jackson's bedroom?

19 A. Mr. Jackson's bedroom is on the ground

20 floor. I don't know how to describe how far away.

21 It's probably the length of two rooms, but on
22 another floor.

23 Q. Now, do you recall freely walking in and out
24 of Mr. Jackson's bedroom?

25 A. Yes.

26 Q. And when you say "bedroom," you're talking
27 about these two levels?

28 A. Yes. 9289

1 Q. Okay. Did Mr. Jackson ever put any
2 restrictions on your walking in and out of his own
3 room?

4 A. No.

5 Q. And you freely walked in and out of his own
6 room?

7 A. Yes.

8 Q. The prosecutor asked you questions about a
9 lock and alarm. Do you remember that?

10 A. No. Oh, the chimes, yeah.

11 Q. Do you recollect your always having to go
12 through a locked door to get into his room?

13 A. I mean, I would always knock first before I
14 went anyway, so I don't have any idea whether the
15 door was locked or not. But I would never just walk
16 in. I would always knock and someone would open the
17 door.

18 Q. What typically would happen when you'd

19 knock?

20 A. Wade would answer the door, or Michael.

21 Q. Okay. And would someone open the door for

22 you?

23 A. Do you mean --

24 Q. When you knocked and someone responded,

25 would they typically open the door for you or would

26 you open the door yourself?

27 A. I think someone would open it for me.

28 Q. Did you go into Mr. Jackson's room at all 9290

1 hours of the day?

2 A. At any time I wanted to, yes.

3 Q. Do you recall being in his room during the

4 day?

5 A. Yes.

6 Q. Do you recall being in his room during the

7 evening?

8 A. Yes.

9 Q. Do you recall being in Mr. Jackson's room

10 late at night?

11 A. Yes.

12 Q. Did you ever get the feeling that somebody

13 was trying to keep you out of Mr. Jackson's room?

14 A. No.

15 Q. Do you recall spending much time in Mr.

16 Jackson's room at Neverland?

17 A. I have spent time in there on occasion
18 watching television with them, but not often.

19 Q. Where would you typically watch television
20 when you were in Mr. Jackson's room?

21 A. On the bed.

22 Q. Would that be the bed on the second level?

23 A. No. On the ground level.

24 Q. Okay. Now, the issue of Mr. Jackson helping
25 you with an automobile, when did that happen?

26 A. I think maybe '93. Early '93.

27 Q. And did you go to him and ask for some
28 assistance in getting an automobile? 9291

1 A. Yes.

2 Q. Okay. And what was his response?

3 A. Well, I had asked him to co-sign. I wasn't
4 asking for money. I was just asking for a
5 signature. And his response was, "Well, why don't I
6 just pay for it."

7 Q. And did he do that, to your knowledge?

8 A. Yes.

9 Q. Did you feel that he was doing that because
10 he wanted something in return in any way?

11 A. Not at all.

12 Q. Did you feel there was any quid pro quo when
13 he helped you with the car?

14 A. Absolutely not.

15 Q. Did you feel there was any quid pro quo when
16 he helped you with money?

17 A. Never.

18 Q. Did you feel there was any quid pro quo when
19 he helped you as a sponsor?

20 A. Not at all.

21 Q. Now, what was this issue -- you needed him
22 as a sponsor for what purpose?

23 A. To remain in the United States. We --
24 permanent residence. To be able to have a green
25 card, we had to have someone sponsor us into the
26 country.

27 Q. Did you go to him and ask him if he would be
28 your sponsor? 9292

1 A. I talked to him about it, and he said he
2 would do whatever he could to do. He just
3 instructed his office to do whatever was needed.

4 Q. To your knowledge, what was done to help
5 you?

6 A. An offer -- they put me on their books as an
7 employee of the company.

8 Q. Did Mr. Jackson have to actually sign
9 anything to be your sponsor, if you recall?

10 A. Yes.

11 Q. And did you ask him to do that?

12 A. Yes. Pretty much. Basically I asked for

13 help. So that was the only way we could stay, so,

14 yes.

15 Q. And he did help you, right?

16 A. Yes, he did.

17 Q. Did you feel like you owed him anything

18 after he helped sponsor your family to stay in the

19 U.S.?

20 A. No. Not at all.

21 Q. Now, you received some payment through

22 Michael Jackson Productions; is that right?

23 A. My earnings from the cosmetic company was

24 diverted through the company, through his company,

25 yeah.

26 Q. What cosmetics company was that?

27 A. Pigments. P-i-g-m-e-n-t-s.

28 Q. Where is that company located? 9293

1 A. On Burton Way in Beverly Hills.

2 Q. And you actually were working there?

3 A. Yes.

4 Q. When did you begin working at that cosmetics

5 company?

6 A. I think '93. '92 or '93.

7 Q. And the idea was that because you weren't a

8 resident, you were not supposed to be employed; is

9 that the idea?

10 A. I was on a working visa, but it was through

11 MJJ Productions. I was -- I was employed to be
12 employed by MJJ Productions only. So I managed to
13 find this job for myself. And in order to make it
14 legal, it had to be diverted through MJJ
15 Productions.

16 Q. And where were you living at the time?

17 A. I was living in Hollywood.

18 Q. And who else was living there with you?

19 A. Chantal and Wade.

20 Q. And were you the main person providing for
21 your family at that point?

22 A. Yes.

23 Q. You needed a job, didn't you?

24 A. Yes, I did.

25 Q. Mr. Jackson helped you get a job, correct?

26 A. Well, he helped me, yeah. I mean, he didn't
27 get the job for me. I got the job, but he made it
28 possible for me to be allowed to do that, yes. 9294

1 Q. And how long did that arrangement last?

2 A. Oh, I think three years.

3 Q. Okay. So for approximately three years you
4 were paid through MJJ Productions, right?

5 A. Yes.

6 Q. Michael's Jackson's company?

7 A. Yes.

8 Q. Were you the primary wage earner for your

9 family at that point?

10 A. Yes.

11 Q. And why did that arrangement end?

12 A. Wade booked a feature film. He was working
13 as an actor on a feature film. And because he was a
14 minor, I had to be there with him. So I left the
15 job and worked with him on the film.

16 Q. Okay. And did Mr. Jackson ever ask anything
17 in return for what he had done for you during those
18 three years?

19 A. No.

20 Q. Ever feel you had to repay him for any of
21 that?

22 A. No.

23 Q. Now, you spoke to Mr. Sneddon before today,
24 did you not?

25 A. Yes.

26 Q. And you were actually questioned by Mr.
27 Sneddon before today, correct?

28 A. Yes. 9295

1 Q. When were you questioned by Mr. Sneddon?

2 A. Before the grand jury, I think in '93 or
3 '94.

4 Q. Was that the only time?

5 A. Yes.

6 Q. And do you recall Mr. Sneddon trying to get

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7 you to agree that your son had been kidnapped by

8 Michael Jackson?

9 MR. ZONEN: I'm going to object.

10 Argumentative; hearsay; and irrelevant.

11 MR. SNEDDON: It's my objection.

12 MR. ZONEN: Oh.

13 MR. SNEDDON: Let me do it this way. I

14 object. Same basis.

15 THE COURT: I'll sustain both of you.

16 Q. BY MR. MESEREAU: To your knowledge -- all

17 right. To your knowledge, has your son ever been

18 held against his will by Mr. Jackson?

19 A. Never.

20 Q. To your knowledge, has your son ever been

21 kidnapped by Mr. Jackson?

22 A. No.

23 Q. To your knowledge, has your son ever been

24 abused by Mr. Jackson?

25 A. No.

26 MR. SNEDDON: Your Honor, object. Leading;

27 asked and answered.

28 THE COURT: Sustained. 9296

1 Q. BY MR. MESEREAU: The prosecutor asked you

2 questions about seeing June Chandler at Neverland.

3 Do you remember that?

4 A. I do.

5 Q. Did you see her at Neverland?

6 A. I did.

7 Q. Did you talk to her at Neverland?

8 A. Yes.

9 Q. Was she a friend of yours?

10 A. No.

11 Q. You didn't care for her, right?

12 A. I did not.

13 Q. Why?

14 A. My impression of June Chandler was that she
15 wanted to be mistress of Neverland; that she was
16 ordering the staff around as if she owned Neverland;
17 that she wanted everything that went with it. My
18 impression of June Chandler was that she was a
19 gold-digger.

20 Q. Did you see her interact with Mr. Jackson?

21 A. Yes.

22 Q. Did you feel she was trying to use Mr.

23 Jackson?

24 A. Absolutely.

25 Q. Did you ever talk to Mr. Jackson about it?

26 A. No, I did not.

27 Q. The prosecutor asked you about someone named

28 Blanca Francia. 9297

1 A. Yes.

2 Q. Did you know Blanca Francia?

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3 A. I don't know her. I remember her working
4 there.

5 Q. Did you ever chat with her?

6 A. No.

7 Q. Do you remember seeing Blanca Francia in Mr.
8 Jackson's room?

9 A. I remember seeing her go in there to clean.

10 I don't remember seeing her in there.

11 Q. Do you recall being at Neverland when large
12 numbers of children would visit?

13 A. Yes. Once.

14 Q. And when was that?

15 A. I don't remember when it was. It was -- I'm
16 trying to work out about what age Wade would have
17 been. It's probably around '99, 2000. There was a
18 group of children there from the -- the Wish
19 Foundation or Create-a-Wish Foundation.

20 Q. Did you spend time with those children?

21 A. Yes, I did.

22 Q. What did you do with those children?

23 A. We played with them on the -- in the
24 amusement park.

25 MR. SNEDDON: Your Honor, beyond the scope
26 of cross.

27 THE COURT: Sustained.

28 MR. MESEREAU: No further questions, Your 9298

1 Honor.

2

3 RECROSS-EXAMINATION

4 BY MR. SNEDDON:

5 Q. Miss Robson, you're not jealous of June

6 Chandler, are you, because she displaced you?

7 A. Not at all.

8 Q. Not at all?

9 A. Not at all.

10 Q. That wasn't the feeling you had at the

11 ranch, because she was in control?

12 A. Absolutely not.

13 Q. And her son had replaced your son?

14 A. My son was there.

15 Q. Yes, but he wasn't in the bedroom with

16 Michael Jackson anymore, was he?

17 A. I don't know that he wanted to be. He was

18 Michael's friend. They were there together as

19 friends. I had no wish to be June Chandler.

20 Q. Well, I didn't ask you whether you wished to

21 be June Chandler. I asked you whether you were

22 jealous of her position.

23 A. Certainly not. What position would that be?

24 Q. Of being able to be close to Michael Jackson

25 at that point in time.

26 A. I don't think she was close to Michael

27 Jackson at that time.

28 Q. You don't? 9299

1 A. No. As a matter of fact, Michael spent a

2 good deal --

3 Q. Do you know --

4 MR. MESEREAU: Objection. She hasn't

5 completed her answer, Your Honor.

6 THE COURT: Overruled. Next question.

7 Q. BY MR. SNEDDON: Do you know how many trips

8 they went on together?

9 A. No.

10 Q. Do you know how long they spent with each

11 other?

12 A. No.

13 Q. You have no idea, do you?

14 A. No.

15 Q. So you don't have any idea how close she was

16 to Mr. Jackson at that point in time, no personal

17 knowledge?

18 A. My personal knowledge from that weekend was

19 when I saw Michael Jackson trying to elude June

20 Chandler for the entire weekend.

21 MR. SNEDDON: Move to strike as

22 nonresponsive, Your Honor.

23 THE COURT: Overruled.

24 Q. BY MR. SNEDDON: And you said that the

25 defendant, Mr. Jackson here, was the person who

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26 easily created trust in people; is that right?

27 A. Yes.

28 Q. And in relationship to you and your family, 9300

1 he created that trust very easily and very quickly,

2 correct?

3 A. Yes.

4 Q. You saw him do that with other people, too,

5 correct?

6 A. No.

7 Q. You didn't?

8 A. No.

9 Q. You were the only ones that you observed him

10 to be trust --

11 A. The only time I was ever around anybody else

12 with Michael would have been on the set in Chicago

13 with the Barnes family and that one weekend with the

14 Chandler family.

15 Q. So your opinion about Mr. Jackson and his

16 ability to form trust quickly and easily has to do

17 simply with your family?

18 A. Yes.

19 Q. Now, did I understand you correctly that you

20 stated that when you came to the country, your visa

21 only allowed you to work for MJJ Productions?

22 A. Yes.

23 Q. Now, Mr. Mesereau asked you questions about

24 were you aware of what was going on in the evening

25 in Mr. Jackson's room. Do you recall that?

26 A. He asked me if I'd been into the room.

27 Q. In the evening.

28 A. Yes. 9301

1 Q. Now, you have no idea, once you left that

2 room, what went on inside that bedroom, do you, of

3 personal knowledge?

4 A. Only what my son tells me.

5 Q. Well, you don't know whether they were

6 playing video games, correct?

7 A. If my son tells me they were, they were.

8 Q. Okay. I think I asked you of personal

9 knowledge.

10 A. That is personal knowledge from my son

11 telling me. I believe him.

12 Q. Something you saw with your own eyes or

13 heard with your own ears, not from your son. Do you

14 have any personal knowledge what went on behind

15 those closed doors in that bedroom?

16 A. Not on every occasion. I was not there on

17 every occasion, no.

18 Q. For instance, have you talked to Mr.

19 Mesereau since the testimony yesterday?

20 A. No.

21 Q. Did you talk to him at all in preparation

22 for your testimony?

23 A. We had a brief conversation about how things
24 would be in the courtroom, yes.

25 Q. And did -- are you aware of the fact that at
26 the time of the execution of the search warrant in
27 this case at Neverland Valley Ranch, that there was
28 a whole assortment of sexually explicit magazines 9302

1 and books that were found in Mr. Jackson's bedroom?

2 MR. MESEREAU: Objection. Relevance; beyond
3 the scope.

4 THE COURT: Sustained.

5 Q. BY MR. SNEDDON: You told Mr. Mesereau in
6 response to his questions that you came to the
7 country without any promises from Mr. Jackson; is
8 that what you said?

9 A. That's my memory.

10 Q. That's not what you told the grand jury back
11 in 1994, was it?

12 A. Well, I read something different. I don't
13 remember that.

14 Q. Well, that was you testifying, wasn't it?

15 A. Well, I'm saying I don't remember it now.

16 Apparently that's what I testified to.

17 Q. Under oath?

18 A. Verbal -- maybe they were verbal. What I'm
19 saying is there were no contracts. There may have

20 been something verbal.

21 Q. It didn't say that in your testimony, did
22 it? It said, "Mr. Jackson had arranged the
23 following"?

24 A. Well, that's incorrect.

25 Q. But you said it?

26 A. Well, I'm sorry. I made a mistake back
27 then. There was never anything verbal, never any
28 contracts. 9303

29 Q. You remember better today than you did back
30 then?

31 A. Apparently.

32 MR. SNEDDON: No further questions.

33

34 FURTHER REDIRECT EXAMINATION

35 BY MR. MESEREAU:

36 Q. In response to the prosecutor's questions,
37 you said you believe your son?

38 A. Absolutely.

39 Q. Why do you believe what your son told you?

40 A. We just have a very close relationship.

41 MR. SNEDDON: Excuse me, I didn't ask any
42 questions about believing her son. It's beyond the
43 scope of examination.

44 THE COURT: I don't think it's beyond the
45 scope. But it's an improper question. I'll sustain

18 the objection.

19 Q. BY MR. MESEREAU: Could you clarify this
20 issue of something being arranged when you came to
21 the United States; what was arranged, what wasn't
22 arranged?

23 A. Well, there were no contracts. I honestly
24 don't know what I was referring to in the grand
25 jury. Perhaps -- from my memory -- I mean, we're
26 going back 12, 13 years.

27 From my memory, I remember Michael saying
28 that he would help in whatever way he could. That 9304

1 he had movie companies. He had, you know, record
2 companies. If there's something he could do, he
3 would help. But there were certainly no
4 arrangements. We came here and -- I mean, I had to
5 get a job to work. There was no -- there were no
6 contracts. There was nothing arranged. I didn't
7 come here expecting Michael Jackson to give Wade a
8 career.

9 Q. Has Mr. Jackson always been available to
10 help your family when you needed some assistance?

11 MR. SNEDDON: Object, Your Honor. Beyond
12 the scope and leading.

13 MR. MESEREAU: I don't think so, Your Honor.

14 He talked about arrangements.

15 THE COURT: You may answer.

16 THE WITNESS: Michael's a friend. And like
17 any friend, if we needed anything, he would be
18 there, and -- and vice versa. We were there for
19 each other as friends are.

20 MR. MESEREAU: No further questions.

21 MR. SNEDDON: No questions.

22 THE COURT: All right. Thank you. You're
23 not being excused. There's an issue about some
24 other questions that I'm going to take up, so you
25 may be called back.

26 THE WITNESS: All right.

27 THE COURT: For now, you may leave.

28 THE WITNESS: Thank you. 9305

1 THE COURT: Call your next witness.

2 MR. MESEREAU: Yes. Defense will call

3 Lisbeth Barnes, Your Honor.

4 May I take a second?

5 She's not right here, so we will call

6 Chantal Robson, Your Honor.

7 THE COURT: All right.

8 When you get to the witness stand, please

9 remain standing.

10 Face the clerk here and raise your right

11 hand.

12

13 CHANTAL ROBSON

14 Having been sworn, testified as follows:

15

16 THE WITNESS: I do.

17 THE CLERK: Please be seated. State and

18 spell your name for the record.

19 THE WITNESS: Hi, Chantal Robson.

20 C-h-a-n-t-a-l; last name Robson, R-o-b-s-o-n.

21 THE CLERK: Thank you.

22

23 DIRECT EXAMINATION

24 BY MR. MESEREAU:

25 Q. Good morning.

26 A. Good morning.

27 Q. Ms. Robson, Joy is your mother, correct?

28 A. Yes, she is. 9306

1 Q. And Wade is your brother, right?

2 A. Yes.

3 Q. Do you know the gentleman seated at counsel

4 table to my right?

5 A. I do.

6 Q. And who is he?

7 A. He's a friend of mine. Michael Jackson.

8 Q. And how long has he been a friend of yours?

9 A. Since I was ten years old.

10 Q. And how did you meet him?

11 A. First time I met him, a trip to America. We

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12 went to Record One Studios. He was a friend of my
13 brother's.

14 Q. Okay. And have you stayed in contact with
15 Michael Jackson through the years?

16 A. I have.

17 Q. How have you stayed in contact with him?

18 A. Just through phone calls. He would call and
19 say hello to the family. And see him on occasions.

20 Q. And do you think he's a family friend?

21 A. I do.

22 Q. Okay. Now, when did you last speak to
23 Michael Jackson?

24 A. When did I last speak to Michael Jackson?

25 Q. Yes.

26 A. A couple nights ago.

27 Q. Okay. And where was that?

28 A. At the ranch. 9307

1 Q. Were you visiting the ranch?

2 A. Yes.

3 Q. Okay. Were you with your mom?

4 A. Yes.

5 Q. Were you with your brother?

6 A. Yes.

7 Q. All right. Now, do you recall when you
8 first visited Neverland Ranch?

9 A. I do.

10 Q. And approximately when was that?

11 A. This was '89. I was ten years old.

12 Q. And do you remember who was with you?

13 A. Yes. When we first went, it was my entire
14 family. My grandparents, my father, my mother, Wade
15 and myself.

16 Q. Okay. And do you remember where you stayed
17 at Neverland?

18 A. I stayed in Michael's room.

19 Q. Okay. And was anyone else in there with
20 you?

21 A. Wade was and Michael was.

22 Q. And how many nights did you and Wade stay in
23 Michael Jackson's room on that occasion?

24 A. Two nights.

25 Q. Do you recall anything improper ever going
26 on in that room?

27 A. Not at all.

28 Q. Okay. What -- what did you and Wade and 9308

1 Michael do during those evenings you stayed in his
2 room?

3 A. We just hung out. Watched cartoons.

4 Watched videos. Played games. You know, what
5 normal kids do. Hang out and have fun.

6 Q. Did you fall asleep on his bed?

7 A. Yes, we did.

8 Q. How many times do you think you've been in
9 Michael Jackson's room?

10 A. I've probably been there a lot of times,
11 just sort of in and out. I've slept there four
12 times.

13 Q. When you slept in Michael Jackson's room,
14 has your brother Wade always been there?

15 A. Yes.

16 Q. And any of those occasions, have you ever
17 seen anything improper go on?

18 A. Not at all.

19 Q. Ever seen Mr. Jackson molest your brother
20 Wade?

21 A. Not at all.

22 Q. Ever seen Mr. Jackson touch your brother
23 Wade in an improper way?

24 A. No.

25 Q. Ever seen Mr. Jackson abuse your brother
26 Wade?

27 A. No.

28 Q. Were you ever suspicious of any touching Mr. 9309

1 Jackson may have done with Wade?

2 A. Never.

3 Q. Has Mr. Jackson ever hugged you?

4 A. Yes, he has.

5 Q. Have you hugged him?

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6 A. Yes, I have.

7 Q. Ever been suspicious of the way he hugged
8 you?

9 A. Not at all.

10 Q. Has Mr. Jackson ever kissed you?

11 A. Yes, he has.

12 Q. Have you kissed him?

13 A. Yes, I have.

14 Q. Ever been suspicious of the way Mr. Jackson
15 kissed you?

16 A. No.

17 Q. Ever seen Mr. Jackson hug Wade?

18 A. Yes.

19 Q. Ever been suspicious of the way Mr. Jackson
20 hugged Wade?

21 A. No.

22 Q. Have you ever seen Wade hug Mr. Jackson?

23 A. Yes, I have.

24 Q. Have you ever been suspicious of the way
25 Wade hugs Mr. Jackson?

26 A. No.

27 Q. Have you ever seen Mr. Jackson kiss Wade?

28 A. Yes. 9310

1 Q. Have you ever seen Wade kiss him?

2 A. Yes.

3 Q. Ever been suspicious of any of this kissing?

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4 A. No.

5 Q. Ever thought any of it was sexual in nature?

6 A. No, it was just a friendly kiss on the

7 cheek.

8 Q. How many times do you think you've been to

9 Neverland?

10 A. Millions. I've been -- so many, I can't

11 even remember.

12 Q. Okay.

13 A. If -- I think an average of four times a

14 year.

15 Q. And have you been there when Mr. Jackson

16 wasn't at Neverland?

17 A. Yes, I have.

18 Q. Have you been there a lot of times when he

19 wasn't there?

20 A. Yes.

21 Q. The first time you were at Neverland, what

22 do you recall your family doing?

23 A. We hung out. Watched movies. Ride on golf

24 carts. Played in the playground. Ate dinner.

25 Stuff like that.

26 Q. Now, to your knowledge, did your parents

27 know that you and Wade were sleeping in Michael

28 Jackson's room? 9311

1 A. Yes, they did.

2 Q. To your knowledge, did your grandparents
3 know you and Wade were sleeping in Michael Jackson's
4 room?

5 A. Yes, they did.

6 Q. Anyone ever have a problem with it?

7 A. No.

8 Q. How would you describe Michael Jackson's
9 room?

10 A. It's beautiful. It's two floors. There's
11 another bedroom upstairs. His bed is downstairs.

12 There's two closets.

13 Oh, sorry.

14 Sorry, there's a closet on the right side
15 and a shower on the left side.

16 Q. How many times do you think you've been in
17 that room? Can you guess? Not "guess," excuse me.

18 Can you estimate?

19 A. Five to ten times.

20 Q. During the times you've been to Neverland
21 when Mr. Jackson was there, did you ever feel that
22 you were being kept out of his room?

23 A. No.

24 Q. Have you been in his room during the
25 daytime?

26 A. Yes, I have.

27 Q. Have you been in his room during the
28 nighttime? 9312

1 A. Yes, I have.

2 Q. And you have been in his room late in the
3 evening, correct?

4 A. Yes.

5 Q. Did Mr. Jackson ever put any restrictions on
6 you not coming into his room?

7 A. Never.

8 Q. Now, the first time you visited Neverland
9 when you and Wade stayed in Mr. Jackson's room,
10 where did your parents stay, if you remember?

11 A. In the guest units.

12 Q. And where did your grandparents stay?

13 A. In the guest units also.

14 Q. Do you recall your parents staying in the
15 main house before Mr. Jackson had his own children?

16 A. I think my mother did stay in the main house
17 at one point.

18 Q. All right. Do you know that for sure?

19 A. I don't.

20 Q. Okay. Have you been through all the rooms
21 in the main house?

22 A. Yes, I have.

23 Q. Okay. You've been through them many times?

24 A. Yes.

25 Q. Do you recall a Jacuzzi at Neverland?

26 A. Yes.

27 Q. Ever been in the Jacuzzi?

28 A. I have. 9313

1 Q. Ever been in there with Michael Jackson?

2 A. I have.

3 Q. Ever been in there with Michael Jackson and

4 your brother?

5 A. Yes.

6 Q. Did you see anything improper go on when you

7 were in the Jacuzzi?

8 A. No, not at all.

9 Q. Do you recall what Mr. Jackson was wearing

10 when you were in the Jacuzzi with him?

11 A. Shorts.

12 Q. Have you traveled with Mr. Jackson?

13 A. No, I have not.

14 Q. To your knowledge, has your family traveled

15 with him?

16 A. Yes.

17 Q. What is your knowledge about that?

18 A. I know that my brother and my mother have

19 been to Vegas. I take that back. I have been to

20 Los Angeles with him. On my first trip. I went to

21 Los Angeles, just me and my mom. Sorry, me and my

22 brother.

23 Q. What is your occupation?

24 A. I'm a dancer.

25 Q. Now, are you aware of any efforts Mr.

26 Jackson made to help your family move to the U.S.?

27 A. Yes. He helped us, like any friend.

28 Q. What do you recall him doing? 9314

1 A. He basically just helps us with immigration.

2 Helped us, you know, get certain attorneys to help

3 us deal with moving over here.

4 Q. Did you ever feel that he was doing this

5 because he wanted something in return?

6 A. No. Never.

7 Q. Did he ever help you with your career?

8 A. No.

9 MR. MESEREAU: No further questions.

10

11 CROSS-EXAMINATION

12 BY MR. AUCHINCLOSS:

13 Q. Good morning, Miss Robson.

14 A. Good morning.

15 Q. You first met Mr. Jackson in 1990; is that

16 correct?

17 A. '89.

18 Q. '89. All right. And that was in Australia?

19 A. No. That was in America.

20 Q. All right. So the first time you met Mr.

21 Jackson was the time -- the first time that you

22 visited Neverland Ranch?

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23 A. Yes.

24 Q. Did Neverland Ranch seem to you to be an
25 awe-inspiring place when you first visited it?

26 A. I'm sorry, an awe --

27 Q. Awe-inspiring.

28 A. Yes. It's a beautiful place. 9315

1 Q. Very impressive?

2 A. Yes.

3 Q. Were you impressed with meeting Mr. Jackson
4 the first time you met him?

5 A. Not really impressed. I was young, so the
6 idea of the fact that he was being famous really
7 didn't mean anything.

8 Q. Okay. It didn't strike you as anything
9 remarkable to meet a superstar at that time when you
10 were ten years old?

11 A. No.

12 Q. Had you ever listened to his music?

13 A. Yes.

14 Q. Did you have any of his albums?

15 A. Yes.

16 Q. And then after your first visit to
17 Neverland, you returned to Australia?

18 A. Uh-huh.

19 Q. With your family?

20 A. Yes.

21 Q. And your brother Wade?

22 A. Yes.

23 Q. And did Wade communicate with Mr. Jackson

24 during that period of time?

25 A. Yes.

26 Q. Did he call him?

27 A. Yes.

28 Q. Did Mr. Jackson call Wade? 9316

1 A. Yes.

2 Q. Would this be a frequent occurrence?

3 A. Yes.

4 Q. And would they talk on the phone for hours?

5 A. Yes.

6 Q. Weekly?

7 A. Yes.

8 Q. More than once in a week?

9 A. Yes.

10 Q. During that period of time, did your brother

11 seem to be fascinated with his relationship with

12 this star?

13 MR. MESEREAU: Objection; vague.

14 THE COURT: Overruled.

15 You may answer.

16 THE WITNESS: He was fascinated with the

17 friendship.

18 Q. BY MR. AUCHINCLOSS: It was something very

19 important to him, wasn't it?

20 A. Yes.

21 Q. Did they send faxes back and forth?

22 A. Yes.

23 Q. How often would they do that?

24 A. I don't remember. It wasn't as often as the

25 phone calls.

26 Q. But this was a very special bond that Wade

27 had with Michael Jackson, wasn't it?

28 A. Like any other friend, yes. 9317

1 Q. But this was a special friend, wasn't it?

2 A. I don't know what you mean by "special."

3 Q. Well, did Wade have anybody else that he had

4 a relationship with that you could compare to his

5 relationship with Mr. Jackson?

6 A. Me.

7 Q. Okay. But let me paraphrase -- or let me

8 rephrase that.

9 Any relationship with an adult like he had

10 with Mr. Jackson, an adult who's not a member of his

11 family?

12 A. No.

13 Q. And your first night at Neverland you stated

14 that you slept in Mr. Jackson's bed?

15 A. Yes.

16 Q. Bedroom?

17 A. The second night. The first time I was in
18 the room.

19 Q. All right. So the very first night that you
20 went to Neverland you spent the night in Mr.
21 Jackson's bedroom?

22 A. In his bedroom, yes.

23 Q. And on that first night, you slept
24 downstairs in the bedroom, correct?

25 A. No.

26 Q. You slept upstairs?

27 A. Yes.

28 Q. Did you -- or I'll rephrase that. 9318

1 Were you interviewed by Scott Ross, an
2 investigator for Mr. Jackson, on May 2nd, 2005?

3 A. Yes. Not quite sure if that was the date,
4 but, yes.

5 Q. That was just a few days ago?

6 A. Yeah.

7 Q. And did you tell Mr. Ross that you recalled
8 the first night that you slept downstairs, and Wade
9 went upstairs and slept with Mr. Jackson?

10 A. No. It would be the other way around.

11 Q. Okay.

12 A. Michael and Wade slept -- Michael and Wade
13 slept downstairs and I slept upstairs on the first
14 night.

15 Q. All right. So Mr. Jackson and Wade slept
16 together separately from the area that you slept in?

17 A. Yes.

18 Q. Why was that?

19 A. Because I left and went upstairs.

20 Q. Why did you leave and go upstairs?

21 A. Because I was a little older at that point
22 and I felt like I was interfering in Michael's
23 bedroom, so I left and went upstairs.

24 Q. Because you wanted to give Mr. Jackson some
25 privacy?

26 A. Yes.

27 Q. And he was alone with your brother at that
28 time? 9319

1 A. Yes.

2 Q. And your brother was seven years old?

3 A. Yes.

4 Q. And that night, your brother slept in the
5 same bed with Michael Jackson?

6 A. Yes. I told him to come up with me.

7 Q. You told him to come up with you?

8 A. Yes.

9 Q. Was that because you felt like he shouldn't
10 be sleeping in a bed with a grown man?

11 A. Not at all.

12 Q. Then why did you tell him to do that?

13 A. Because I didn't want to make Michael feel
14 like two people were invading his space.

15 Q. Something about that first night made you
16 feel uncomfortable, didn't it?

17 A. No, not at all.

18 Q. Didn't you say you felt more comfortable the
19 second night to Mr. Ross when you spoke to him a few
20 days ago?

21 A. Comfortable with my friendship with Michael,
22 yes.

23 Q. And that next night, you slept in the same
24 bed with Michael Jackson?

25 A. I did.

26 Q. And your mother knew about it?

27 A. Yes.

28 Q. He was 35 years old? 9320

1 A. Yep.

2 Q. And you were ten?

3 A. Yep.

4 Q. Was that the first time you'd ever done
5 anything like that?

6 A. Done anything like what?

7 Q. As a young girl, sleeping with a grown man
8 who's unrelated to you, that you just met.

9 A. That was the first time I'd ever done that.

10 It's not the first time I've ever slept with

11 somebody over 35.

12 Q. As a ten-year-old, did you sleep with
13 someone over 35, other than Michael Jackson?

14 A. I've slept with my dad.

15 Q. I'm talking about an unrelated person.

16 A. No, that was the first time.

17 Q. As a child, how many unrelated men did you
18 sleep with that were over the age of 30?

19 A. None.

20 Q. Just Mr. Jackson?

21 A. Other than my father, yes.

22 Q. Whose idea was it that you sleep in Mr.
23 Jackson's bed?

24 A. It was actually our idea.

25 Q. Sorry?

26 A. My brother and I. It was actually not an
27 idea. We just fell asleep.

28 Q. Did Mr. Jackson discourage this? Did he say 9321

1 in any way that this is not appropriate for two
2 small children to be sleeping in the bed with a
3 35-year-old unrelated man?

4 A. No.

5 Q. And as you sit here today, as an adult, you
6 think it's appropriate for a ten-year-old girl to
7 sleep in the same bed with an unrelated 35-year-old
8 man that she's just met?

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9 A. I think it's appropriate for a ten-year-old
10 girl to sleep in a bed with a friend.

11 Q. All right. What about a 35-year-old man
12 that she has just met. That's my question. Do you
13 think that's appropriate?

14 A. If she feels comfortable that he is a
15 friend.

16 Q. If the ten-year-old thinks it's okay, she
17 should do it?

18 A. And the parents. Yeah.

19 Q. Something you would allow?

20 A. Yes.

21 Q. What about a seven-year-old boy?

22 A. Yes.

23 Q. You would allow your own seven-year-old son
24 to sleep with a 35-year-old man that he has just
25 met?

26 A. If I trusted the man, yes.

27 Q. Do you think that type of trust can be
28 earned in one day? 9322

1 A. I don't think trust is always earned.

2 Q. How do you gain trust, other than earning
3 it?

4 A. I think it's a feeling. It's a friend.

5 Q. Mr. Jackson's pretty good at that, isn't he,
6 at gaining trust?

7 A. I don't understand how you could say

8 somebody's good at gaining trust.

9 Q. He makes you feel very comfortable when you

10 first meet him; isn't that true?

11 A. I think it depends on who's meeting him.

12 Q. Well, you felt very comfortable, true, the

13 very first day?

14 A. Well, I was his friend.

15 Q. And your mother felt very comfortable the

16 very first day, true?

17 A. My mother had already met him two years

18 prior.

19 Q. But she just met him as an acquaintance.

20 You know that, right?

21 A. They spent a lot of time together before

22 that, though.

23 Q. They had spent what?

24 A. They spent time together before that.

25 Q. On how many occasions?

26 A. Just the once when they were in Australia.

27 But she actually spent hours and had conversation

28 and got to know Michael, so she had a relationship 9323

1 prior.

2 Q. So your testimony is that your mother knew

3 you were going to be sleeping in the same bed with

4 Michael Jackson that night?

5 A. Yes.

6 Q. Did Michael Jackson ever refer to you as a
7 member of his family?

8 A. No.

9 Q. Did he ever refer to Wade as a member of his
10 family?

11 A. Not to my knowledge, no.

12 Q. Are you aware that there are other boys that
13 have spent the night in Michael Jackson's bed?

14 A. I am.

15 Q. Do you know their names?

16 A. Some of them.

17 Q. Which ones do you know?

18 A. Jordie Chandler, Macaulay Culkin and Brett
19 Barnes.

20 Q. Mr. Jackson has been very generous to you,
21 hasn't he?

22 A. It depends on what you mean by "generous."

23 Q. Well, he's allowed you the run of his ranch
24 anytime you wanted, true?

25 A. Yes.

26 Q. And he picks up the tab, correct?

27 A. The tab at his house. It's like me going to
28 any other friend's house and spending time there. 9324

1 Q. Neverland's not like any other friend's

2 house, is it?

3 A. No, but I have a lot of friends that have
4 beautiful homes. And when I go there, they allow me
5 to eat for free.

6 Q. And Mr. Jackson has given your mother loans
7 in the past?

8 A. Loans?

9 Q. Yes.

10 A. Yes.

11 Q. And at Neverland, you pretty much have --
12 get to do whatever you please as a child?

13 A. Well, I don't know about "whatever you
14 please." I mean, you're protected. You can't --

15 Q. Within the bounds of safety.

16 A. Yes.

17 Q. You pretty much have the run of the ranch,
18 true?

19 A. Yes.

20 Q. Get to stay up late?

21 A. Yep.

22 Q. Eat all the candy you want?

23 A. Yes.

24 Q. There are really no rules, are there, except
25 for your safety?

26 A. Depending on whether your mother has certain
27 rules for you or --

28 Q. But when you're away from your parents and 9325

1 when you're with Mr. Jackson, you get to do whatever
2 you want?

3 A. Well --

4 Q. Pretty much, true?

5 A. As long as they're not what your mother's
6 told you not to do.

7 Q. All of these families that you've mentioned
8 spend time with Mr. Jackson, right, the boys of
9 families?

10 A. Yes.

11 Q. And all of these families have one thing in
12 common, don't they? They all have boys?

13 A. And sisters.

14 Q. Right. But each one has boys?

15 A. Yes.

16 Q. And each one of those families has a boy
17 that forms a special relationship with Mr. Jackson;
18 isn't that true?

19 A. Your idea of special relationship, yes.

20 Q. Well, Mr. Jackson had a relationship with
21 Wade that was far closer than the relationship that
22 you had with Mr. Jackson, true?

23 A. Yes.

24 Q. And Mr. Jackson chose Wade to sleep in his
25 bedroom night after night after night?

26 A. I don't think Michael Jackson chose Wade to
27 sleep in his bedroom.

28 Q. Well, he allowed it, true? 9326

1 A. There's a difference between allowing and
2 choosing.

3 Q. Well, you don't really know what he chose,
4 do you?

5 A. I think that we had the ability to leave.

6 Q. That's a "yes" or "no" question. Do you
7 know what Mr. Jackson was choosing when he and Wade
8 were sleeping in the same bed together?

9 A. No.

10 Q. Ever heard of the "Apple Head Club"?

11 A. No.

12 Q. Never?

13 A. Apple Head Club? No.

14 Q. How about the "Doo-Doo-Head Club"?

15 A. No.

16 Q. Have you ever heard those expressions?

17 A. Yes. Not "Club."

18 Q. Was Wade an "Apple Head"?

19 A. Yes.

20 Q. Do you know how many times Wade slept with
21 Mr. Jackson alone in his bed?

22 A. I do not.

23 Q. And Miss Robson, you really have no idea
24 what happened between Mr. Jackson and Wade on those
25 many nights that they slept alone behind closed

26 doors in Mr. Jackson's bedroom, do you?

27 A. Yes, I do.

28 Q. You weren't there, though, were you? 9327

1 A. It doesn't matter.

2 Q. You're just judging that based upon what

3 Wade told you?

4 A. Based upon what my brother tells me and my

5 friends tell me, yes. But just like anything, we

6 base a lot on what people tell us.

7 Q. Would it surprise you to learn that there

8 has been an expert who testified in this case that

9 up to 50 percent of all children --

10 MR. MESEREAU: Objection to the question.

11 MR. AUCHINCLOSS: I haven't finished the

12 question.

13 MR. MESEREAU: Referring to other testimony.

14 MR. AUCHINCLOSS: Based to challenge her

15 credibility.

16 THE COURT: Sustained.

17 Q. BY MR. AUCHINCLOSS: Do you think all child

18 molest victims divulge, as children, that they've

19 been molested?

20 MR. MESEREAU: Objection. Assumes facts not

21 in evidence; beyond the scope; improper opinion.

22 THE COURT: Overruled.

23 You may answer.

24 Q. BY MR. AUCHINCLOSS: Do you think that?

25 A. Can you repeat the question, please?

26 Q. Do you think that all child molest victims
27 divulge the fact that they've been molested when
28 they are children? 9328

1 A. I honestly have no idea. I haven't studied
2 up on all the requirements of a child molester.

3 Q. Do you have an impression of the type of
4 shame that would be associated for a child to admit
5 that he's been molested?

6 A. Again, I don't really know what goes through
7 somebody's mind.

8 Q. There would be a great deal of guilt
9 associated with a family, parents, that allowed
10 their child to sleep with Michael Jackson or an
11 adult, any adult, if they found out that that child
12 had been molested by that person, wouldn't there?

13 A. I don't think there would necessarily be
14 guilt. I think there would be anger and they would
15 do whatever they could to have that person not
16 around.

17 Q. It would upset them, though. It would be
18 disturbing, wouldn't it?

19 A. Yes.

20 Q. That's a feeling they'd like to avoid,
21 wouldn't it?

22 A. No, I think it's a feeling that they would
23 want to solve.

24 Q. But if they chose to deny that feeling, you
25 could understand why, couldn't you?

26 A. I don't know. I've never been put in that
27 position.

28 MR. AUCHINCLOSS: I have no further 9329

1 questions.

2
3 REDIRECT EXAMINATION

4 BY MR. MESEREAU:

5 Q. Miss Robson, if you thought your brother had
6 been molested by Michael Jackson, would you go to a
7 lawyer first to seek money?

8 MR. AUCHINCLOSS: Objection. Requires
9 speculation; argument.

10 THE COURT: Sustained.

11 Q. BY MR. MESEREAU: The prosecutor asked you
12 questions about whether or not you believed your
13 brother Wade felt his friendship with Michael
14 Jackson was important. Do you remember that
15 question?

16 A. Yes, I do.

17 Q. And you said you thought so, right?

18 A. Yes.

19 Q. Why do you think so?

20 A. Because I think that anybody that gains a
21 friendship with anyone thinks that that relationship
22 is important, otherwise they would not be friends
23 with that person.

24 Q. And was it your belief that your brother had
25 a good friendship with Michael Jackson?

26 MR. AUCHINCLOSS: Objection; leading.

27 THE COURT: Overruled.

28 THE WITNESS: Yes. 9330

29 Q. BY MR. MESEREAU: Did you ever see a problem
30 with that?

31 A. No.

32 Q. The prosecutor asked you about a special
33 bond between Wade and Michael Jackson. Remember
34 that question?

35 A. Yes.

36 Q. And did you think he had a special bond with
37 Michael Jackson?

38 A. I think like any other friend.

39 Q. Do you think you have a special bond with
40 Michael Jackson?

41 A. I do.

42 Q. Why?

43 A. Because he is my friend and I love him.

44 Q. Do you think Mr. Jackson has a special bond
45 with your mom?

18 A. I do.

19 Q. Why do you think that?

20 A. Same reason. We're friends, and we're there
21 for each other.

22 Q. Now, the prosecutor asked you about whether
23 or not you were comfortable with the fact that
24 children have slept in Mr. Jackson's room. Remember
25 that?

26 A. Yes.

27 Q. Are you comfortable with that?

28 A. Yes. 9331

1 Q. Why?

2 A. Because I trust Michael Jackson.

3 Q. Why?

4 A. Because it's a feeling that I have. He's a
5 friend, and he's never, ever made me feel like I
6 shouldn't trust him.

7 Q. Now, the prosecutor asked you questions
8 about the words "Apple Head" and "Doo-Doo Head,"
9 right?

10 A. Yes.

11 Q. Have you heard those words before?

12 A. Yes, I have.

13 Q. Let's start with "Apple Head." Where have
14 you heard the word "Apple Head"?

15 A. Michael has called me and my brother "Apple

16 Head."

17 Q. Where have you heard the word "Doo-Doo

18 Head"?

19 A. Michael has called me or my brother "Doo-Doo

20 Head."

21 Q. When Michael Jackson called you "Apple

22 Head," did you ever get suspicious that some crime

23 was occurring?

24 A. No.

25 Q. When Michael Jackson called you "Doo-Doo

26 Head," were you ever suspicious that there was some

27 sexual reason for that?

28 A. No. 9332

1 Q. When Michael Jackson called your brother

2 "Apple Head," did you ever suspect some abusive type

3 of thing was going on?

4 THE WITNESS: No.

5 MR. AUCHINCLOSS: Objection; leading.

6 MR. MESEREAU: I think he opened that, Your

7 Honor.

8 MR. AUCHINCLOSS: Same objection.

9 THE COURT: The answer was, "No." Next

10 question.

11 Q. BY MR. MESEREAU: When Mr. Jackson called

12 your brother "Doo-Doo Head," did you ever suspect

13 something nefarious was happening?

14 A. No.

15 Q. The prosecutor asked you questions about
16 victims of child molestation, okay? Did you ever
17 think your brother was the victim of a child
18 molestation?

19 A. I did not.

20 Q. Why not?

21 A. Because he would have told me.

22 Q. Did he ever tell you that he had been
23 improperly touched?

24 A. No, he did not.

25 Q. Did your brother ever tell you that he had
26 been molested?

27 A. No.

28 Q. In fact, did your brother ever tell you, "I 9333

1 have never been molested by Michael Jackson"?

2 MR. AUCHINCLOSS: Objection; hearsay.

3 THE COURT: Sustained.

4 Q. BY MR. MESEREAU: Isn't it true you don't
5 think for one second that Mr. Jackson ever abused
6 your brother?

7 A. That is true.

8 Q. You don't think for one second that Mr.
9 Jackson ever molested your brother, do you?

10 A. That is true.

11 Q. You don't think for one second Mr. Jackson

12 ever touched your brother in a sexual way, right?

13 MR. AUCHINCLOSS: Objection; leading.

14 THE COURT: Overruled.

15 You may answer.

16 THE WITNESS: I do not think for one second.

17 Q. BY MR. MESEREAU: Why not?

18 A. Because --

19 MR. AUCHINCLOSS: Objection; asked and

20 answered.

21 THE COURT: Sustained.

22 Q. BY MR. MESEREAU: Prosecutor Auchincloss

23 asked you questions about a family feeling guilty

24 for allowing molestation to occur.

25 Do you feel guilty about anything involving

26 your relationship with Michael Jackson?

27 A. I do not.

28 Q. Why not? 9334

1 A. I have no reason to feel guilty. It's a

2 normal friendship.

3 Q. To your knowledge, does your brother feel

4 guilty about anything involving his relationship

5 with Michael Jackson?

6 MR. AUCHINCLOSS: Objection. Speculation;

7 hearsay.

8 THE COURT: Sustained.

9 Q. BY MR. MESEREAU: Have you discussed with

10 your brother the prosecutor's allegations that

11 Michael Jackson improperly touched him?

12 A. Yes.

13 Q. Have you had many discussions with him?

14 A. A couple.

15 Q. Your brother's pretty upset with these

16 allegations, isn't he?

17 MR. AUCHINCLOSS: Objection. Hearsay;

18 leading.

19 THE COURT: Overruled.

20 THE WITNESS: Yes, he is.

21 Q. BY MR. MESEREAU: Why?

22 A. Because they're not true.

23 MR. AUCHINCLOSS: Objection; hearsay.

24 THE COURT: Sustained.

25 Q. BY MR. MESEREAU: Are you upset with these

26 allegations?

27 A. I am.

28 Q. Why? 9335

1 A. Because they're not true. And a friend of

2 mine is being accused of something that's not true.

3 Q. Have you ever felt guilty about having a

4 friendship with Michael Jackson?

5 A. I have not.

6 MR. AUCHINCLOSS: Objection; asked and

7 answered.

8 THE COURT: The answer is in. Next question.

9 Q. BY MR. MESEREAU: Do you feel guilty about
10 ever staying in Michael's room?

11 A. I don't.

12 Q. Do you feel guilty about ever visiting
13 Michael's room?

14 A. I do not.

15 MR. AUCHINCLOSS: Objection; leading.

16 THE COURT: Overruled. The answer was
17 given.

18 Q. BY MR. MESEREAU: Did you ever get the
19 feeling Michael Jackson was trying to talk you into
20 being in his room?

21 A. Never.

22 Q. Did you ever get the feeling Michael Jackson
23 was trying to talk your brother into being in his
24 room?

25 A. Never.

26 MR. AUCHINCLOSS: Objection; leading.

27 MR. MESEREAU: No further questions.

28 THE COURT: Overruled. 9336

1 RE-CROSS-EXAMINATION

2 BY MR. AUCHINCLOSS:

3 Q. You said that you trusted Michael Jackson?

4 A. Yes.

5 Q. Would you trust him never to give alcohol to

6 a child?

7 A. Yes.

8 Q. Would you trust him never to show
9 pornography -- well, excuse me, erotic -- adult
10 erotic materials to a child?

11 A. Yes.

12 Q. Would you trust him not to keep those things
13 laying around his bedroom when he has children in
14 that room?

15 MR. MESEREAU: Objection. Assumes facts not
16 in evidence; improper question.

17 MR. AUCHINCLOSS: There's evidence that he
18 had --

19 THE COURT: Overruled.

20 You may answer.

21 THE WITNESS: Can you please repeat your
22 question?

23 Q. BY MR. AUCHINCLOSS: Would you trust him not
24 to have adult erotic materials sitting around his
25 room when he had children in his room?

26 A. I don't know if that's a trust issue.

27 Q. Well, would you like him -- would you trust
28 him enough to think that he'd keep those materials 9337

1 separate from children?

2 A. It would be nice. But I also understand
3 it's somebody's house and sometimes things are lying

4 around.

5 Q. Would you trust him enough to -- would you
6 trust him not to have statues, figurines of nude
7 women in bondage attire sitting around on a desk
8 where he has his own children visiting him?

9 A. I don't know if he's ever had that, so --

10 Q. I'm asking you, would you trust him not to
11 do that?

12 A. Yes.

13 Q. So if he did any of these things, he would
14 be violating your trust, wouldn't he? You'd have to
15 evaluate your level of trust, wouldn't you?

16 A. No, I don't think it would violate my trust.

17 Q. If he showed -- if he showed erotic -- adult
18 erotic materials to a child that he's been giving
19 alcohol to, wouldn't you have to reevaluate whether
20 you trust this man or not?

21 MR. MESEREAU: Objection; argumentative.

22 THE COURT: Overruled.

23 You may answer.

24 THE WITNESS: Repeat the question, please.

25 Q. BY MR. AUCHINCLOSS: My question is, if Mr.

26 Jackson showed adult erotic material to a child that
27 he'd been giving alcohol to, you'd have to

28 reevaluate whether you really trust this man or not, 9338

1 wouldn't you?

2 A. If Michael Jackson did do that, yes, you
3 would have to reevaluate.

4 Q. So you wouldn't trust him if he did that?

5 A. If he did that, yes. But I don't believe he
6 did it, so....

7 MR. AUCHINCLOSS: I have no further
8 questions.

9

10 FURTHER REDIRECT EXAMINATION

11 BY MR. MESEREAU:

12 Q. You've heard about the allegations in this
13 case, right?

14 A. Yes.

15 Q. You've discussed them with your family,
16 right?

17 A. Yes.

18 Q. You don't believe Michael Jackson ever
19 molested the Arvizo children, do you?

20 A. I --

21 MR. AUCHINCLOSS: Objection. That calls for
22 a conclusion; impermissible question.

23 THE COURT: Sustained.

24 Q. BY MR. MESEREAU: Do you trust that Michael
25 Jackson never molested any alleged victim in this
26 case?

27 MR. AUCHINCLOSS: Same objection.

28 MR. MESEREAU: He raised the issue of trust, 9339

1 Your Honor.

2 MR. AUCHINCLOSS: It is -- well --

3 THE COURT: Sustained.

4 Q. BY MR. MESEREAU: Do you trust Michael
5 Jackson?

6 A. I do.

7 Q. Why do you trust Michael Jackson?

8 A. Because he is my friend.

9 MR. AUCHINCLOSS: Objection. Asked and
10 answered; beyond the scope.

11 THE COURT: Overruled.

12 You can complete your answer if you didn't.

13 MR. MESEREAU: Let me withdraw the question.

14 THE COURT: She answered it.

15 MR. MESEREAU: Okay.

16 THE COURT: But I'm not sure she wasn't cut
17 off in the middle.

18 THE WITNESS: That's okay.

19 He's my friend.

20 Q. BY MR. MESEREAU: Are there any other
21 reasons why you trust Michael Jackson?

22 A. He has never, ever given me any reason not
23 to trust him.

24 Q. Do you think he's honest?

25 A. I do.

26 Q. Do you think he's a sensitive man?

27 A. I do.

28 Q. Do you think Mr. Jackson would ever, ever 9340

1 harm a child?

2 A. I don't, no.

3 MR. AUCHINCLOSS: Objection; leading.

4 THE COURT: Sustained.

5 Q. BY MR. MESEREAU: Do you trust --

6 THE COURT: Wait a minute.

7 I'll strike the answer.

8 Q. BY MR. MESEREAU: Do you trust that Mr.

9 Jackson would --

10 MR. AUCHINCLOSS: Your Honor, I'm going to

11 object. I'm going --

12 MR. MESEREAU: Your Honor, the prosecutor

13 asked her all these questions about her trust in Mr.

14 Jackson. I'm just --

15 THE COURT: That's correct.

16 MR. MESEREAU: I'm just examining on those

17 issues.

18 THE COURT: You may on some issues. And some

19 you may not.

20 MR. MESEREAU: Okay.

21 THE COURT: So take it one question at a

22 time.

23 Q. BY MR. MESEREAU: Do you trust that Mr.

24 Jackson would never give alcohol to a cancer patient

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25 so he could commit the crime of molestation?

26 A. I do.

27 MR. AUCHINCLOSS: Objection; leading. Also

28 calls for an ultimate issue, ultimate conclusion. 9341

1 THE COURT: I'll sustain the objection.

2 Q. BY MR. MESEREAU: Please tell the jury every

3 reason why you trust Michael Jackson.

4 MR. AUCHINCLOSS: Objection; asked and

5 answered.

6 THE COURT: Overruled.

7 You may answer that.

8 THE WITNESS: He has been my friend for many

9 years. He has cared for me like an older brother

10 and a father. There has never been one time in my

11 life where he has ever turned his back on my family.

12 Vice versa. My family has never turned our back on

13 him. We love him.

14 It's hard to explain. When you have a

15 friendship with someone and you know that it's a

16 true person and it's a friend --

17 MR. AUCHINCLOSS: I'm going to object as a

18 narrative.

19 THE COURT: Overruled.

20 Were you through with your statement?

21 THE WITNESS: It's just that he's a true

22 person and he's a friend, and I trust him always.

23 MR. MESEREAU: No further questions.

24

25 FURTHER RECROSS-EXAMINATION

26 BY MR. AUCHINCLOSS:

27 Q. Just one last question.

28 In your eyes, Mr. Jackson can do no wrong, 9342

1 can he?

2 A. That is not true.

3 MR. AUCHINCLOSS: I have nothing further.

4 MR. MESEREAU: No further questions.

5 THE COURT: All right. You may step down.

6 THE WITNESS: Thank you.

7 THE COURT: Call your next witness.

8 MR. MESEREAU: Yes. The defense will call

9 Lisbeth Barnes.

10 THE COURT: When you get to the witness

11 stand, please remain standing.

12 Face the clerk right here, and raise your

13 right hand.

14

15 MARIE LISBETH BARNES

16 Having been sworn, testified as follows:

17

18 THE WITNESS: I do.

19 THE CLERK: Please be seated. State and

20 spell your name for the record.

21 THE WITNESS: Do you --

22 Marie, M-a-r-i-e; Lisbeth, L-i-s-b-e-t-h;

23 Barnes, B-a-r-n-e-s.

24 THE CLERK: Thank you.

25

26 DIRECT EXAMINATION

27 BY MR. MESEREAU:

28 Q. Good morning, Miss Barnes. 9343

1 A. Good morning.

2 Q. Where is your home?

3 A. In Melbourne, Australia.

4 Q. And you have a son, right?

5 A. Yes, I do. And a daughter.

6 Q. And what is your son's name?

7 A. Brett.

8 Q. And your daughter's name?

9 A. Karlee.

10 Q. Okay. Do you know the person seated at

11 counsel table to my right?

12 A. I do.

13 Q. And who is he?

14 A. Michael Jackson.

15 Q. When did you first meet him?

16 A. 19 -- December 1991.

17 Q. And how did you meet him?

18 A. Well, actually, when I met him personally

19 was in December of 1991, but I had spoken to him for
20 several years prior to that. I -- he invited us to
21 his home in December 1991, and that's when I met him
22 for the first time.

23 Q. Okay. Now, you said you'd been speaking to
24 him for a while before that?

25 A. Since 1987.

26 Q. And why were you speaking to him?

27 A. Because he had called -- my son had written
28 a letter to him when he was very young, when Michael 9344

1 was touring Australia. And he received the letter
2 and he -- well, he pulled out a letter out of the
3 bag, that's what he told me, and it was Brett's, and
4 he decided that he'd call him to thank him for the
5 letter. And he spoke to all of us, and we developed
6 a friendship, and he continued calling us and
7 speaking to us.

8 And then one day he decided to invite us
9 over to his home, and since then we've been regular
10 visitors.

11 Q. Do you still consider Mr. Jackson to be your
12 friend?

13 A. Oh, definitely.

14 Q. Where are you staying at the moment?

15 A. I'm staying at his -- at Neverland Valley,
16 at his place.

17 Q. How many times do you think you have stayed

18 over at Neverland?

19 A. Several times. I can't count.

20 Q. Can you give an estimate?

21 A. No.

22 Q. Would it be ten times?

23 A. Could be. Yeah.

24 Q. Could it be 20?

25 A. No, maybe not 20. Probably about ten, I

26 guess, or a little bit more, a little bit less. I'm

27 not sure. I'm -- I know it's several times. I can

28 take time and count back, but I haven't thought 9345

1 about it.

2 Q. Okay. And your first visit to Neverland was

3 when, what year, if you know?

4 A. December 1991.

5 Q. Okay. And who did you visit Neverland with?

6 A. Our family. My husband, my two children.

7 Q. Okay. And how long did you stay there?

8 A. About three weeks. Well, we stayed with

9 Michael for that three weeks. He took us to

10 Disneyland, to Las Vegas, and, yes, we were together

11 for three weeks.

12 Q. Okay. And where did you stay during those

13 three weeks?

14 A. Sometimes at Neverland Valley. Sometimes at

15 Disneyland, and Las Vegas, depending on the places
16 we were visiting. And sometimes at the hotel in Los
17 Angeles.

18 Q. Okay. Now, let me direct you to the first
19 time -- first night you were at Neverland, okay?

20 A. Uh-huh.

21 Q. What did you do?

22 A. We -- he took us on a tour of the place, and
23 we -- pretty much that. And then we watched a film
24 at the theater, had dinner, sat down and talked, and
25 pretty much that.

26 Q. Where did you stay that evening?

27 A. In one of the guesthouse -- guest units at
28 the ranch. 9346

1 Q. And do you know where your children stayed
2 that evening?

3 A. Same -- well, one of the other units at
4 the -- they're just a group of units, and they were
5 in the next one.

6 Q. To your knowledge, has your son ever stayed
7 in Michael Jackson's room at Neverland?

8 A. Yes, he has.

9 Q. And when was the first time that happened?

10 A. I couldn't tell you. I couldn't remember.

11 I can't remember. I'm sorry.

12 Q. To your knowledge, has your daughter ever

13 been in Michael Jackson's room?

14 A. Yes, she has also.

15 Q. And to your knowledge, has she ever stayed

16 in his room?

17 A. Yes, she has.

18 Q. And how about you, have you ever been in his

19 room?

20 A. Yes, I have. And I have been invited to

21 stay over because we were watching videos and

22 talking, and he just suggested, "Well, why don't you

23 stay; stay here," because it was raining outside.

24 And he said, "Well, you can stay here." And I

25 stayed for a little while, but then I went back to

26 my room. It was just more comfortable.

27 Q. How many times do you think you've been in

28 Michael Jackson's room at Neverland? 9347

1 A. Oh, several times.

2 Q. Has it been all times of day?

3 A. Yes. I had pretty much free rein -- just

4 anytime I wanted to, I was allowed to.

5 Q. Now, let me ask you about that. You've been

6 in Michael Jackson's room during the day, right?

7 A. Uh-huh.

8 Q. You've been there during the evening, right?

9 A. Yes.

10 Q. Have you been there late into the night?

11 A. Well, yes. Pretty much when we were
12 watching videos, it would be -- go pretty well late
13 into the night.

14 Q. How often do you think you've watched videos
15 late into the night in Michael Jackson's room?

16 A. Several times.

17 Q. Okay.

18 A. Or times we were just talking, or --

19 Q. When you visited Neverland with your
20 children, did you feel that you had free access to
21 Michael Jackson's room?

22 A. Yes.

23 Q. And why did you feel that way?

24 A. Well, he gave me free access. He -- he -- I
25 remember a particular occasion when I wanted to
26 borrow some CDs, and he said, "Just come into my
27 room and" -- that is where they are kept and he
28 showed me where the selection of CDs were kept, and 9348

1 he said, "Anytime you want to come and borrow the
2 CDs, feel free to do so."

3 Q. And how would you describe Mr. Jackson's
4 room?

5 A. Just a huge room and -- with lots of things
6 in it. Very, very warm and -- but nothing
7 ostentatious. I don't know what sort of description
8 you're looking for.

9 Q. Is it two levels? Do you recall an upstairs
10 and a downstairs in the room?

11 A. Uh-huh.

12 Q. Have you been into both parts of his room?

13 A. Uh-huh. Yes.

14 Q. Do you recall having to knock on a door to
15 get into his room?

16 A. Well, I do that normally when I go into --

17 doesn't matter whose place I go, it's just common
18 courtesy to knock before you enter.

19 But I could have just -- the door was never
20 locked, so I could go in anytime I wanted to.

21 Q. Were you ever denied access to his room?

22 A. Never.

23 Q. Did you ever go into the room when your
24 children were in the room with him?

25 A. Yeah.

26 Q. Have you done that often?

27 A. Yeah.

28 Q. Now, what have you seen your children doing 9349

1 with Mr. Jackson in Mr. Jackson's room?

2 A. Just talking, watching films, and listening
3 to -- just reading stories or just having fun. Just
4 chilling out, you know. Playing with games, toys,
5 whatever.

6 Q. Have you ever seen Mr. Jackson do anything

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7 inappropriate with either of your children?

8 A. No. Never.

9 Q. Ever seen Mr. Jackson inappropriately touch
10 your son?

11 A. Never.

12 Q. Ever seen Mr. Jackson inappropriately touch
13 your daughter?

14 A. Never.

15 Q. Have you ever seen Mr. Jackson hug your son?

16 A. Yes.

17 Q. Have you ever been suspicious of the fact
18 that Mr. Jackson hugged your son?

19 A. No.

20 Q. Have you ever seen Mr. Jackson hug your
21 daughter?

22 A. Yes.

23 Q. Have you ever been suspicious of Mr. Jackson
24 hugging your daughter?

25 A. No.

26 Q. Have you ever seen Mr. Jackson kiss your son
27 on the cheek?

28 A. Yes. 9350

1 Q. Has that ever made you suspicious of Mr.

2 Jackson?

3 A. No.

4 Q. Ever seen Mr. Jackson kiss your daughter on

5 her cheek?

6 A. Yes.

7 Q. Have you ever been suspicious of that

8 behavior?

9 A. No.

10 Q. Okay. Now, you gave your son permission to

11 stay in Mr. Jackson's room, correct?

12 A. Yes, correct.

13 Q. Did you give your daughter permission to

14 stay in his room?

15 A. Correct.

16 Q. Why?

17 A. Why not?

18 Q. Did you trust Mr. Jackson?

19 A. Implicitly. I always trusted him and I

20 still trust him.

21 Q. Why?

22 A. Because he's just a very nice person. And

23 you just feel when you can trust someone and when

24 you can't trust someone. And I had total trust in

25 him.

26 Q. And your son traveled with him at some

27 point, correct?

28 A. Uh-huh. Correct. 9351

1 Q. When was that?

2 A. It would have been January 1992, I think.

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3 Q. Did you allow your son --

4 A. January, February.

5 Q. Did you allow your son to travel with Mr.

6 Jackson?

7 A. I allowed him, yes.

8 Q. Why was that?

9 A. Because, to me, it was a learning

10 experience, and -- visiting other countries, and I

11 couldn't -- you know, I was -- it didn't bother me

12 at all.

13 Q. Did you ever suspect that Mr. Jackson had

14 inappropriately touched your son?

15 A. Never.

16 Q. Have you discussed with your son allegations

17 that Mr. Jackson inappropriately touched him?

18 A. Well, there were allegations, and we had

19 talked about it, and I have asked him. I said,

20 "Look me in the eyes and tell me that nothing has

21 happened to you, that Michael has never done

22 anything inappropriate to you."

23 And he said he --

24 MR. ZONEN: I'm going to object to the

25 response as hearsay, Your Honor.

26 THE COURT: Sustained.

27 MR. ZONEN: Move to strike the answer.

28 THE COURT: Stricken. 9352

1 Q. BY MR. MESEREAU: As you sit here today,
2 do you think Mr. Jackson has ever inappropriately
3 touched your son?

4 MR. ZONEN: I believe that's character
5 opinion. I'll object, unless this witness is a
6 character witness.

7 THE COURT: Sustained.

8 MR. MESEREAU: No further questions.

9

10 CROSS-EXAMINATION

11 BY MR. ZONEN:

12 Q. Miss Barnes, good morning.

13 A. Good morning.

14 Q. Your child Brett was how old when he first
15 met Michael Jackson?

16 A. Nine.

17 Q. And was that on the occasion of your first
18 visit?

19 A. Going on ten. Yes.

20 Q. He was nine years old?

21 A. He may have been ten.

22 Q. And your daughter was how old?

23 A. 12.

24 Q. And your daughter's name is what?

25 A. Karlee.

26 Q. Karlee? Am I doing that right? Karlee?

27 A. Uh-huh. K-a-r-l-e-e.

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28 Q. And both of them stayed with Michael Jackson 9353

1 that first night that you were at Neverland?

2 A. Well, we all stayed together and they --

3 like I said, they slept in the -- in one of the
4 guest units, and we slept in the other guest unit.

5 Q. They slept in one of the guest units. Who
6 are "they"?

7 A. My children. Brett and Karlee.

8 Q. All right. They both stayed in one of the
9 guest units?

10 A. That's correct.

11 Q. And you stayed in a separate guest unit?

12 A. That's correct.

13 Q. And Mr. Jackson stayed in his residence?

14 A. That's correct.

15 Q. All right. And the guest unit, of course,
16 is an entirely different structure than his
17 residence; is that right?

18 A. Uh-huh.

19 Q. You would have to walk outside and some
20 distance before you would get to his house?

21 A. That's correct.

22 Q. Did you continue to stay in the guest unit
23 while you were there?

24 A. Yes.

25 Q. And for what period of time did you stay at

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26 Neverland before you finally returned to Australia?

27 A. Well, we were -- we were at Neverland on --

28 on and off for over a three-week period, but we 9354

1 didn't stay at Neverland the whole time.

2 Q. How long did you stay at Neverland?

3 A. Well, it was a few days in Neverland and a

4 few days outside of Neverland, coming back, so

5 altogether -- I couldn't tell you exactly how many

6 days altogether.

7 Q. Was your husband there as well?

8 A. Yes, he was.

9 Q. And other members of your family?

10 A. Well, my son and my daughter, and that's the

11 complete family.

12 Q. Okay. You didn't have any aunts or

13 grandparents or cousins or anything like that?

14 A. No.

15 Q. So it was the four of you; is that correct?

16 A. That's correct.

17 Q. And you wandered between Neverland and other

18 locations in California; is that right?

19 A. And Las Vegas.

20 Q. And Las Vegas.

21 Did you travel with Mr. Jackson during that

22 time?

23 A. Yes.

24 Q. So he took you to different locations; is
25 that right?

26 A. That's correct.

27 Q. At what stage did your son begin to stay in
28 his room or with him in a hotel room, together? 9355

1 A. I don't remember.

2 Q. Well, the first time you're telling us --

3 A. It's not the first few nights. It could
4 be -- I'm not really sure exactly when.

5 Q. By about the third night?

6 A. Could be. It could be a little bit later.

7 Q. Fourth night?

8 A. I don't remember.

9 Q. This is a trip that went about three weeks;
10 is that right?

11 A. That's correct.

12 Q. The trip was paid for entirely by Mr.

13 Jackson?

14 A. That's correct.

15 Q. And that included all of the transportation
16 for you, your husband and your two children from
17 Australia to California and back; is that right?

18 A. That's correct.

19 Q. As well as all of your housing
20 accommodations, travel needs and entertainment; is
21 that right?

22 A. That's correct.

23 Q. Did he purchase gifts for the four of you

24 while he was there?

25 A. Yes, he did.

26 Q. And by the fourth night, your son was

27 sleeping in his room; is that correct?

28 A. No, I didn't say by the fourth night he was 9356

1 sleeping in his room.

2 Q. What night was it, then?

3 A. I'm not sure what night it was.

4 Q. Was it within the first week?

5 A. It could have been. It may have been. It

6 may not have been. I don't remember.

7 Q. But he was sleeping with your son in the

8 same bed before this trip was over; is that correct?

9 A. That's correct.

10 Q. All right. Was he sleeping in the same bed

11 with your son for an extended period of time?

12 A. On -- no, not -- not continuously, no. Just

13 on-and-off basis when they were -- the times when my

14 son would fall asleep when we were there, and he

15 stayed there and -- rather than having to go back

16 to -- outside into the unit.

17 MR. ZONEN: Your Honor?

18 THE COURT: Thank you. We'll take our break.

19 (Recess taken.)

20 THE COURT: You may proceed.

21 MR. ZONEN: Thank you, Your Honor.

22 Q. Miss Barnes, we were on a -- the initial
23 visit, your initial visit to California to
24 Neverland, and I believe you were telling us --

25 BAILIFF CORTEZ: Your microphone's off.

26 Q. BY MR. ZONEN: We were discussing your
27 initial visit to California and to Neverland, and I
28 believe that you said it was when your son was about 9357

9358 nine years old. How much older was your daughter?

9359 A. I said ten, actually. Nearly ten.

9360 Q. I'm sorry, ten years old he was?

9361 A. Well, he was going to be ten in January, so
9362 it was December, so he was nearly --

9363 Q. Close to his tenth birthday?

9364 A. Uh-huh.

9365 Q. And your daughter was how old at the time?

9366 A. 12.

9367 Q. And you took trips with the defendant to a
9368 number of different locations, including Las Vegas?

9369 A. That's correct.

9370 Q. What other cities did you go to besides Las
9371 Vegas?

9372 A. Well, Los Angeles. We went to Disneyland.

9373 This is Anaheim, I believe --

9374 Q. Okay. Where else?

18 A. -- on that trip.

19 That's about it, I think.

20 Q. All right. Would it be fair to say that

21 most of the time that you were there, you were at

22 Neverland; is that correct?

23 A. Not quite. Not really, no, because we spent

24 a few days in Las Vegas. We spent a few days at

25 Disneyland. And when we were in Disneyland, I know

26 we went to Century City, so I'd say -- I wouldn't

27 say most of the time, no.

28 Q. Well, a few days in Century City? 9358

1 A. A hotel there. There's a hotel in Century

2 City.

3 Q. Was that across the street from his

4 condominium?

5 A. That's correct.

6 Q. When you were at the hotel in Century City,

7 was your son staying with Mr. Jackson in his

8 condominium?

9 A. No, he stayed with us.

10 Q. He stayed with you for the entire time?

11 A. I believe so.

12 Q. When you were at the Las Vegas hotel, did

13 your son stay with Mr. Jackson?

14 A. We were all together.

15 Q. In Mr. Jackson's room?

16 A. Well, we shared a villa, so there were
17 several rooms in the villa. It's like a --

18 Q. And in which room did your son sleep?

19 A. With my daughter.

20 Q. Your son slept with your daughter?

21 A. Yes.

22 Q. So he didn't stay with Mr. Jackson at any
23 time while you were in Las Vegas?

24 A. I don't recall. I don't remember.

25 Q. He didn't stay with Mr. Jackson at any time
26 when you were in Century City?

27 A. He may have. I'm not sure. No, I'm not --

28 I cannot tell you, because I don't remember. 9359

1 Q. Did you stay at a hotel when you were at
2 Disneyland?

3 A. We were at The Disneyland Hotel.

4 Q. For how long? More than one night?

5 A. Yes.

6 Q. Two nights?

7 A. Probably four, five nights, I would say.

8 Q. Four or five nights?

9 A. Uh-huh.

10 Q. At Disneyland Hotel?

11 A. Uh-huh.

12 Q. And did your son stay with Mr. Jackson

13 while --

14 A. We were all, again, in the same --

15 Q. Suite?

16 A. Yes.

17 Q. Did your son stay in Mr. Jackson's room in
18 that suite while you were at The Disneyland Hotel?

19 A. I don't remember. Possibly. I don't

20 remember.

21 Q. You're not certain?

22 A. No.

23 Q. All right. Now, the first time that your
24 son ended up staying in Mr. Jackson's room, had you
25 had a conversation with Mr. Jackson prior to that
26 event? Did Mr. Jackson talk with you about your son
27 staying with him in his room?

28 A. No. It was my son's decision to stay the 9360

1 night.

2 Q. It was your son's decision to stay?

3 A. Uh-huh.

4 Q. Well, explain how that happened.

5 A. He wanted --

6 Q. Your son came to you and asked you if he
7 could stay with Mr. Jackson?

8 A. No, we just happened to be in the room, and
9 he said he wanted to stay. He wanted to stay there
10 for the night, because they were having fun, and
11 he -- he just said he was going to stay there and --

12 Q. Was this is at Neverland we're talking

13 about?

14 A. That's correct.

15 Q. It's not at one of the hotels?

16 A. No.

17 Q. It's before you began your series of trips

18 around different places; is that correct?

19 A. That's correct. Uh-huh.

20 Q. So it was in the early part of your stay in

21 California?

22 A. Yes, I would say so.

23 Q. And your son came to you -- and your son

24 came to you and said that he would like to spend the

25 night --

26 A. He didn't come to me. Well, I was there

27 with him.

28 Q. And your daughter was there as well? 9361

1 A. Uh-huh.

2 Q. You were all on the bed together?

3 A. Well, we were in the room together.

4 Q. Which room is that? The downstairs room?

5 A. That's correct.

6 Q. And there is a bed in the downstairs room?

7 A. That's correct.

8 Q. And there's a bed in the upstairs room?

9 A. That's correct.

10 Q. Were you watching T.V.?

11 A. We were at the time. I don't remember what
12 we were doing. I'm sorry.

13 Q. Was your husband there as well?

14 A. I don't remember.

15 Q. Was your daughter there as well?

16 A. I presume so.

17 Q. Do you know at what hour it was that your
18 son --

19 A. No, I don't remember.

20 Q. -- that your son expressed the desire to
21 remain in Mr. Jackson's room?

22 A. I don't remember.

23 Q. Was it late at night?

24 A. I don't remember. I'm sorry.

25 Q. Was it potentially very early in the
26 morning?

27 A. I don't -- I don't remember. I'm sorry. I

28 just don't remember. It was just a long time ago. 9362

1 Q. Did you understand him to mean that he was
2 going to be sleeping in Mr. Jackson's bed?

3 A. I would imagine so, because eventually he
4 would have fallen asleep.

5 Q. Is that where he was at the time that you
6 left the room?

7 A. What do you mean?

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8 Q. At the time that your son said he wanted to

9 stay there, was Mr. Jackson there?

10 A. Yes, he was.

11 Q. Was Mr. Jackson on the bed?

12 A. No. He was just in the room, sitting on one

13 of the chairs, walking around. He likes walking

14 around.

15 Q. He walks around?

16 A. Uh-huh.

17 Q. So he was walking around, and your son was

18 on the bed?

19 A. I'm not really sure whether he was on the

20 bed or whether he was playing with something on the

21 floor, or --

22 Q. Do you remember the conversation where he

23 asked you -- your son asked you to remain in Mr.

24 Jackson's room? Do you remember that conversation?

25 A. No, I don't.

26 Q. But you do remember -- but you do remember

27 that it was your son who asked if he could stay

28 there? 9363

1 A. It was his decision, yes.

2 Q. Was Mr. Jackson party to that conversation?

3 A. No. Well, he was there. But he wasn't

4 party to -- he wasn't actually taking part in the

5 conversation, if that's what you mean.

6 Q. Did you say to your son, "No, that's not
7 appropriate. Come back to the guest cottage with
8 your family"?

9 A. No, I didn't.

10 Q. You said it was all right for him to stay in
11 that room?

12 A. Yes.

13 Q. Did Mr. Jackson say to you, "It's okay with
14 me, he can stay here"? Did he say that to you?

15 A. Well, I don't remember what he said at the
16 time. I just asked him if it was okay. And --

17 Q. Who asked who if it was okay?

18 A. I asked Mr. Jackson if it was okay, and he
19 said, "Yes. If he wants to stay, that's fine."

20 Q. So you did have a conversation with Mr.
21 Jackson about your son remaining?

22 A. Well, I can't say that it's a conversation.

23 If I just asked him something, it's not really a
24 conversation as far as I'm concerned, I'm sorry.

25 Q. Now, your son at the time was almost ten
26 years old?

27 A. That's correct.

28 Q. And Mr. Jackson at the time was in his 9364

1 mid-30s?

2 A. Yes.

3 Q. Had your son slept with any other man in his

4 mid-30s up to that point other than a relative?

5 A. Well, he slept with my brother at my
6 parents' place.

7 Q. Do you understand your brother to be a
8 relative?

9 MR. MESEREAU: Objection. The prosecutor is
10 not letting her complete her answer.

11 THE COURT: The objection is overruled.

12 You may answer the last question. Do you
13 want it read back?

14 THE WITNESS: I'm sorry, I didn't quite
15 hear.

16 THE COURT: I'll have the court reporter read
17 it to you.

18 (Record read.)

19 THE WITNESS: Yes.

20 Q. BY MR. ZONEN: All right. Do you understand
21 that the question I asked was other than relatives?

22 Had your son, at that point in his life, slept with
23 any other men other than relatives; adult, grown
24 men?

25 A. No.

26 Q. All right. Since that date, has he slept
27 with any adult, grown men during the balance of his
28 adolescence other than a relative? 9365

1 A. Not that I know.

2 Q. All right. Now, Miss Barnes, at the time
3 that he first spent the night in Mr. Jackson's room,
4 in Mr. Jackson's bed, you had known Mr. Jackson
5 what, a couple days?

6 A. Well, I had met him a couple of days, but I
7 had known him -- I had been friends with him -- I
8 consider myself being friends with him, because we
9 had communicated over the phone for several years
10 prior to that.

11 Q. You'd had telephone conversations --

12 A. Uh-huh.

13 Q. -- with him.

14 The first time that you actually spent any
15 time in his home with him was the occasion of this
16 first visit just prior to your son's --

17 A. That's correct.

18 Q. -- tenth birthday.

19 All right. Did your son continue to sleep
20 with him thereafter?

21 A. Not every day.

22 Q. But many days?

23 A. On occasions.

24 Q. And your son visited Mr. Jackson on a
25 regular basis over the years for the balance of his
26 adolescence, did he not?

27 A. And we did as a -- we did as -- my daughter,
28 myself and my son. We did. 9366

1 Q. Yes.

2 A. And my husband was present on occasions, but
3 he had to work on other occasions.

4 Q. Yes. And other occasions your son came by
5 himself?

6 A. And other occasions, yes, he did come by
7 himself.

8 Q. Some occasions he went with you?

9 A. That's correct.

10 Q. On some occasions he traveled with Mr.
11 Jackson extensively, did he not?

12 A. I would say so.

13 Q. He traveled rather extensively with Mr.
14 Jackson throughout the United States, didn't he?

15 A. I believe so.

16 Q. Do you know how many cities he traveled with
17 your son, he traveled to with your son?

18 A. I couldn't tell you how many cities, no.

19 Q. Were you present when he traveled through
20 the United States with your son?

21 A. To some places I was present, yes.

22 Q. Which places were you present?

23 A. Chicago, Las Vegas. I'm not really sure.

24 There were several occasions where I was present.

25 Q. Several occasions beyond Chicago and Las
26 Vegas?

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27 A. Well, not several cities, but several

28 occasions where -- 9367

1 Q. Were you with your son on all of the

2 occasions when he traveled with Mr. Jackson

3 throughout the United States?

4 A. Not all. Not all the occasions, no.

5 Q. Were there occasions when you stayed back in

6 Australia?

7 A. Yes, there were occasions when I stayed

8 back.

9 Q. And your husband stayed back in Australia as

10 well?

11 A. That's correct.

12 Q. For what periods of time would your son be

13 in California or traveling in the United States with

14 Mr. Jackson without you being there?

15 A. I don't recall.

16 Q. And you have no idea what cities they went

17 to?

18 A. Well, I have an idea of some of the cities

19 they went to.

20 Q. All right. You just said Las Vegas and

21 Chicago. Do you remember any of the others?

22 A. I know that he's been to New York with Mr.

23 Jackson.

24 Q. He went to New York. Okay. Where else?

25 A. Chicago.

26 Q. And Chicago?

27 A. I don't really recall any other cities in

28 the United States. 9368

1 MR. ZONEN: May I approach the witness?

2 THE COURT: You may.

3 MR. MESEREAU: May I see?

4 MR. ZONEN: Same ones we did yesterday.

5 MR. MESEREAU: Oh, okay.

6 Q. BY MR. ZONEN: I'd like to show you a series
7 of photographs, if I may, and please tell me if you
8 recognize these photographs. Number 889 I'll begin
9 with; two photographs in the front, two photographs
10 in the back.

11 Go ahead and look at the back side as well.

12 A. Uh-huh.

13 Q. Who's the subject of those photographs?

14 A. My son.

15 Q. Brett?

16 A. That's correct.

17 Q. And approximately how old was he when those
18 pictures were taken?

19 A. Like I said, probably about ten, I guess.

20 10, 11.

21 Q. Do you have a recollection of those pictures
22 being taken?

23 A. These ones, definitely, because he was just
24 playing games. And him and my daughter were playing
25 games in the photo box, and they were just pulling
26 faces.

27 Q. This is a photo box at Neverland?

28 A. That's correct. 9369

1 Q. All right. And the two photographs you're
2 talking about are the two on the back side of 889;
3 is that correct?

4 A. That's correct.

5 Q. How about the two photographs on the front
6 side of 889, do you recognize those?

7 A. No, I don't recognize anyone's face in
8 those.

9 Q. Do you recognize the setting?

10 A. I believe I do, yes.

11 Q. And where is that?

12 A. Or do I? No, I'm not really sure actually.

13 Q. That's fine. Take a look at Exhibit 890,
14 two photographs in the front. Do you recognize the
15 two photographs?

16 A. No, I don't.

17 Q. Do you recognize the people in either of the
18 two photographs?

19 A. I do.

20 Q. Who are they?

21 A. The top photo is Mr. Jackson, and -- I
22 believe so. And -- I need my glasses for that one.

23 And the bottom one is my son.

24 Q. All right. Number 891, do you recognize the
25 subject matter of those two photographs?

26 A. I believe they're Mr. Jackson.

27 Q. Okay. Are you familiar with the setting of
28 those photographs? Were you there when they were 9370

1 taken?

2 A. No.

3 Q. You don't have a recollection of these
4 photographs being taken; is that correct?

5 A. No.

6 Q. The three photographs on the back of 891, do
7 you recognize those?

8 A. I believe them to be Mr. Jackson.

9 Q. Number 892, two photographs in the front.

10 A. Uh-huh.

11 Q. Who are they?

12 A. The top one of my son Brett, and the bottom
13 one of my son with Mr. Jackson.

14 Q. How old do you believe Brett is in those
15 photographs?

16 A. About 12, I would say. Probably 12, 13.

17 Probably 12, I'd say.

18 Q. He had long hair that he wore at the time?

19 A. Uh-huh.

20 Q. Did he wear long hair for a number of years
21 like that?

22 A. He did. And then he had -- he had a haircut
23 in 1993, and then he grew it again.

24 Q. On the back side of Exhibit No. 892, who is
25 that?

26 A. Again, my son with Mr. Jackson.

27 Q. Number 893?

28 A. Same. 9371

1 Q. Again, your son and Mr. Jackson, both
2 photographs?

3 A. Uh-huh.

4 Q. And the photograph on the back, the top
5 one --

6 A. Uh-huh.

7 Q. -- is your son?

8 A. That's correct.

9 Q. Okay. And the bottom one as well?

10 A. The bottom one is my son.

11 Q. Number 894, four photographs?

12 A. Uh-huh. Mr. Jackson.

13 Q. And the two on the back?

14 A. Again, Mr. Jackson.

15 Q. And 895, we have two photographs in the

16 front and four on the back.

17 A. Uh-huh. My son.

18 Q. Okay. Now, 896, we have two photographs in
19 the front and two on the back. Take a look at these
20 and tell me if you recognize them.

21 A. No, I don't believe I know the location.

22 Q. The two photographs on the back and the one
23 photograph on the front on the bottom are of
24 buildings and a skyline; is that right?

25 A. Yes.

26 Q. Okay. And you don't remember that setting
27 at all? That's not familiar to you?

28 A. No. 9372

1 Q. Okay. Did you travel to Chicago with your
2 son and Mr. Jackson?

3 A. I did on one occasion, with -- when he was
4 filming the video for the song "Jam" with -- with
5 Mr. Michael Jordan in that video. Yes, that was the
6 occasion I traveled with --

7 Q. Where did your son stay in Chicago during
8 that trip?

9 A. He stayed with -- with me at times and --

10 Q. With Mr. Jackson?

11 A. -- with Mr. Jackson at times, yes.

12 Q. Yeah. How long did that tour go on? Was he
13 actually on a tour?

14 A. No, that was just a few days that we went to

15 Chicago, and then we had to come back. We had to go
16 back again.

17 Q. Do you remember how old your son was at that
18 time?

19 A. About 11.

20 Q. Between the ages of ten and --

21 A. Ten.

22 Q. -- and 13, how often did your son travel to
23 Neverland?

24 A. Several times.

25 Q. "Several times" meaning what?

26 A. I don't remember.

27 Q. More than once a year?

28 A. I would say probably, yes. 9373

1 Q. More than twice a year?

2 A. Probably, on average, about two, three
3 times.

4 Q. Two or three times a year. On how many of
5 those occasions did you accompany him to Neverland
6 between the ages of 10 and 13?

7 A. Most of the time I did.

8 Q. Now, your son traveled with him extensively
9 in South America, did he not?

10 A. No, we were present, my family. My husband,
11 my daughter and I were present when we toured South
12 America.

13 Q. All right. And how long of a tour was that?

14 A. I don't quite remember. Couple months

15 maybe. I'm not sure. I don't remember.

16 Q. Did you travel for the entirety of that

17 tour?

18 A. Yes, I did.

19 Q. So for a couple months you traveled

20 throughout South America?

21 A. Uh-huh.

22 Q. And your son was there as well the entire

23 time?

24 A. That's correct. And my daughter and my

25 husband.

26 Q. Your daughter and your husband and you for

27 the entire time?

28 A. Yes. 9374

1 Q. That was a couple months?

2 A. I would say probably -- it could be -- could

3 have been three months. I don't remember.

4 Q. Three months?

5 A. Could have been.

6 Q. Your husband was able to take three months

7 off from work?

8 A. Yes, because he had long service leaves.

9 Q. He had what?

10 A. Long -- in Australia, after you work for,

11 say, ten years, you're entitled to long service
12 leave, so you have three months every ten years.
13 And he had two lots of long-service leave that he
14 was able to take.

15 Q. And that trip was paid for entirely by Mr.
16 Jackson, was it not?

17 A. That's correct.

18 Q. And is it true that during the entirety of
19 that trip your son slept in Mr. Jackson's room with
20 Mr. Jackson?

21 A. I wouldn't say during the entirety.

22 Q. Most of it?

23 A. I would say at times.

24 Q. At times?

25 A. Uh-huh.

26 Q. What does that mean? Once a week?

27 A. Well, I can't give you an exact number of
28 times, because it happened quite a while. 9375

1 Q. Your son was how old at that point, the time
2 of the South America trip?

3 A. 12, I would say.

4 Q. I'm sorry?

5 A. 12. I --

6 Q. 12? 12 years old?

7 Did your husband ever express any concerns
8 to you about your son sleeping in the same bed with

9 Mr. Jackson?

10 A. No.

11 Q. Did you ever discuss it with him at all?

12 A. Yes. We talked -- well, we didn't see

13 any -- any reason -- we talked about it. It wasn't

14 a discussion, as such, that -- because I couldn't

15 make a decision and say, "Well, yes, it's okay," and

16 not consult my husband, because he's part of the

17 family. So....

18 Q. So at some point in time there was a

19 discussion that you had with your husband about your

20 son sleeping with Michael Jackson?

21 A. A conversation that we decided whether we

22 should -- whether it was okay, because we didn't

23 want to impose on Mr. Jackson.

24 Q. Was this the sole issue that you were

25 dealing with was whether or not your son sleeping

26 with him was an imposition for Mr. Jackson? That

27 was the sole concern you had?

28 A. Yes. 9376

1 Q. How many conversations did you have with

2 your husband about the question of where your son

3 slept?

4 A. I don't remember.

5 Q. More than ten?

6 A. No. I don't remember.

7 Q. Do you remember at what age your child was
8 at the time of that discussion?

9 A. No. I don't remember.

10 Q. He could have been ten?

11 A. I don't remember. I'm sorry.

12 Q. Could have been 13?

13 A. I don't remember.

14 Q. Do you know if he had already been sleeping
15 with Mr. Jackson for a period of three or four years
16 by the time you had this conversation with your
17 husband?

18 A. I don't think so.

19 Q. Well --

20 A. I think it would have been before, before
21 that.

22 Q. Perhaps a year?

23 A. No. It would have been at the beginning, I
24 guess.

25 Q. So your son was closer to age ten, or
26 perhaps age ten at the time this happened?

27 A. That's correct. Yes.

28 Q. All right. And then your discussion with 9377

1 your husband took place where? Was it in Australia
2 or was it in the United States?

3 A. While we were here.

4 Q. So "here" being what? Neverland,

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5 California?

6 A. Yes.

7 Q. So early on, then. Was it perhaps the first

8 visit that you had taken to Neverland?

9 A. I'm sorry?

10 Q. Was it perhaps the first visit that you had

11 taken to Neverland?

12 A. What's the question?

13 Q. The question of when you had the

14 conversation with Mr. -- with your husband about

15 your son sleeping with Michael Jackson.

16 A. I would say that would have been perhaps at

17 the -- during the first visit, yes.

18 Q. During the first visit?

19 A. Uh-huh.

20 Q. And the only subject of that conversation

21 with your husband was whether or not it

22 inconvenienced Mr. Jackson to have your son in bed

23 with him; is that true?

24 A. I believe so.

25 Q. Did Mr. Jackson ever tell you that he

26 thought of you as family?

27 A. Yes.

28 Q. Did he do that often? 9378

1 A. I believe so, yes.

2 Q. Did he encourage you to think of him as

3 family?

4 A. Yes.

5 Q. And did he, in fact, suggest that you

6 consider that he be family to you?

7 A. I believe so.

8 Q. Did he tell you that he was going to be in

9 the picture for a long time with you and your

10 family?

11 A. I believe so.

12 Q. That he would be a friend to you and your

13 family and assistance, and that he would have your

14 family as his family?

15 A. Well, that we would be his friends for a

16 long time, yes.

17 Q. Did you ever tell him that you loved him as

18 much as you loved any other member of your family,

19 including your children?

20 A. I believe that I would have said that I love

21 him very much.

22 Q. Did you ever tell him that you loved him as

23 much as any other member of your family, including

24 your children, as much as you love your children?

25 A. I don't remember saying that.

26 Q. Did you ever send Mr. Jackson any letters?

27 A. I probably have.

28 Q. Did Mr. Jackson ever ask you to leave 9379

1 Neverland?

2 A. Never.

3 Q. Did you believe that you had to leave

4 Neverland at some point?

5 A. No.

6 Q. Was Mr. Jackson going to send you to Paris?

7 A. No.

8 MR. ZONEN: May I approach the witness, Your

9 Honor?

10 THE COURT: Yes.

11 MR. ZONEN: Mr. Mesereau, here's the

12 original of the letter I gave you.

13 Q. I'm going to show you Exhibit 897, 8-9-7, a

14 two-page letter. Go ahead and take a moment and

15 look at it.

16 You can hold on to it. I may ask you a

17 couple questions about it.

18 Did you read the letter in its entirety?

19 A. Uh-huh.

20 Q. Do you recognize that letter?

21 A. I believe so.

22 Q. Is that a letter that you wrote?

23 A. I believe so, yes.

24 Q. It's in your handwriting?

25 A. Yes, it is.

26 Q. Do you have a recollection of having written

27 it?

28 A. Uh-huh. 9380

1 Q. Is it true that you said in that letter, "I
2 love my family deeply, and I love you as much as I
3 love them"?

4 A. I believe -- well, I've read this. Yes, I
5 did say that.

6 Q. I'm sorry?

7 A. I did write that, yes.

8 Q. And was that a true statement when you wrote
9 it?

10 A. Yes. Well, I wanted to let Mr. Jackson know
11 that I loved him very much, and I -- I believe that
12 I had hurt him at some stage because I was behaving
13 inappropriately. And that's why I wanted to
14 apologize profusely, just to let him know that I was
15 regretful of what I had done.

16 Q. This was written September 9th, 1992; is
17 that correct?

18 A. That's correct, yes.

19 Q. You wrote in the letter that, "Bill told you
20 yesterday we were responsible for your illness. I
21 felt like killing myself."

22 A. Uh-huh.

23 Q. And that is something that you wrote; is
24 that correct?

25 A. That's correct.

26 Q. All right. "Bill" is who? Bill Bray?

27 A. That's correct.

28 Q. Who is Bill Bray? 9381

1 A. He was Mr. Jackson's head of security.

2 Q. Okay. And in 1992, your son was how old?

3 A. Ten. Oh, 10 going on 11 at that stage. Ten

4 and a half.

5 Q. So you had known Mr. Jackson about a year at

6 that point?

7 A. That's correct.

8 Q. What illness was it that you believed that

9 you were responsible for?

10 A. Well, from -- from my recollection of this

11 particular incident, we were on tour and -- with Mr.

12 Jackson on -- in the European tour of the

13 "Dangerous" tour --

14 Q. Ma'am, what illness was it that you

15 believed --

16 MR. MESEREAU: Objection. He's cutting off

17 the witness.

18 MR. ZONEN: I'll object as nonresponsive,

19 the answer.

20 THE COURT: Sustained.

21 Q. BY MR. ZONEN: Tell us what illness it was

22 that Mr. Jackson had that you believed you were

23 responsible for.

24 A. I don't recall what the illness was.

25 Q. But it was serious enough that you felt like
26 killing yourself?

27 A. Well, it was probably a bit overdramatic
28 what I had written there, but it was only because I 9382

1 felt so bad about it.

2 Q. But now you don't even remember what illness
3 it was?

4 A. No, I don't remember what the actual illness
5 was, but I remember that I had caused him some
6 grief.

7 Q. Did he have an illness that required medical
8 attention?

9 A. I'm not sure whether it actually required
10 medical attention, but I know that he felt that he
11 was feeling unwell at the time.

12 Q. Feeling unwell physically or emotionally?

13 A. I guess probably emotionally. I don't know.

14 But all I know, that he was feeling unwell. I don't
15 really know the extent of -- I don't remember
16 what -- what -- actually how he was feeling, what
17 the actual feeling was, whether it was physical or
18 whether it was emotional. I don't have any
19 recollection of that.

20 Q. And was this because of an outburst of some
21 kind that you staged?

22 A. Pretty much. Well, it was a personal matter
23 between Mr. Jackson and myself.

24 Q. What did you say to him --

25 A. Um --

26 Q. -- that caused you to feel like killing
27 yourself?

28 A. Well, this is -- the reason why I felt so 9383

1 bad is because it was -- I -- what happened was that
2 during the tour, there was a particular city that we
3 were visiting. There wasn't quite enough VIP passes
4 for everyone, because they had VIP passes for
5 numerous guests.

6 Q. What city were you in?

7 A. I don't actually recall which city.

8 MR. MESEREAU: Objection. The prosecutor
9 interrupted.

10 THE COURT: Sustained.

11 MR. MESEREAU: May the witness be allowed to
12 complete her answer, Your Honor?

13 THE COURT: Yes.

14 MR. ZONEN: I'll object to the narrative
15 form of the answer.

16 THE COURT: Well, you asked the question.

17 MR. ZONEN: I'll withdraw my objection,
18 Judge. I'm sorry.

19 THE COURT: Go ahead. Do you want the part

20 that you've already said read back, so you can

21 complete your answer?

22 THE WITNESS: That's -- please.

23 THE COURT: All right.

24 (Record read.)

25 THE WITNESS: And I was informed that we --

26 I wasn't able to go and see the show. And I was

27 upset over that, and that's -- I'm ashamed to be

28 telling this to everyone, but that's pretty much 9384

1 what happened. And I didn't realize that particular

2 outburst was going to make him feel bad.

3 And what happened was that he explained to

4 me that he had several things on his mind and that

5 he wanted to make us happy, and because I was

6 being -- I was unhappy, that was causing him grief.

7 And so I felt pretty much disgusted with myself for

8 having --

9 Q. BY MR. ZONEN: What city were you in?

10 A. I don't recall which city it was. It was a

11 city before -- possibly before Paris, or -- I'm not

12 really sure.

13 Q. What country were you in?

14 A. Again, I don't remember.

15 Q. You were in Europe?

16 A. We were in Europe, yes.

17 Q. So you've done tours with Michael Jackson in

18 Europe, in South America, and in the United States?

19 A. Well, I didn't actually tour with Mr.

20 Jackson in the United States.

21 Q. All right. On this particular occasion, the
22 occasion of writing this letter, you were someplace
23 in Europe; is that right?

24 A. That's correct, yes.

25 Q. And you had some kind of an outburst that
26 upset him deeply?

27 A. Uh-huh.

28 Q. All right. 9385

1 A. And it was to do with the fact that --

2 Q. I'm sorry?

3 A. It was to do with the fact that I didn't --
4 I wasn't able to go to a particular show.

5 Q. And to whom did you complain about not being
6 able to go to this show?

7 A. I believe it was with -- possibly with Mr.
8 Bray and with Mr. Jackson.

9 Q. So Mr. Jackson was there at the time?

10 A. Yes, he was.

11 Q. And you had an outburst, complaining about
12 not being able to go --

13 A. I call it an outburst, but it was the fact
14 that I showed my displeasure, and that -- because I
15 was upset, in a way that upset him, because he

16 wanted us to be -- to be happy and to enjoy the
17 tour, and it seemed like I wasn't because I wasn't
18 able to go to one of the shows. And it was very
19 petty and -- on my behalf.

20 Q. Actually, you didn't say "outburst," you
21 said "outbursts," plural. You had a few of them,
22 didn't you?

23 A. No, I didn't have a few outbursts. But
24 probably -- it could have been because I -- I had
25 expressed my displeasure with Mr. Bray and then with
26 Mr. Jackson. That could have been why it's in
27 plural.

28 Q. Now, because you had an outburst over your 9386
1 displeasure at not going to a concert, you felt like
2 killing yourself, and you wrote that in a letter to
3 Mr. Jackson?

4 A. I did, but that -- again, like I said, it's
5 probably an overdramatic statement because of the
6 fact that I felt so bad. I wanted to let him know
7 how bad I felt, but I had no intention of killing
8 myself. But it's just to -- that was just an
9 expression to let him know that I was very, very
10 remorseful and how bad I felt about it because of
11 the fact that I had been selfish.

12 Q. Did your son actually go to that concert?

13 A. Yes, he did.

14 Q. Was --

15 A. No, no, sorry, he didn't go to the concert,
16 but he was on the tour with us, yes.

17 Q. He did not go to that concert either?

18 A. I don't believe so.

19 Q. Did you tell Mr. Jackson in this letter that
20 you were prepared to leave?

21 A. Yes, I did.

22 Q. Did you tell him, "The only thing that we
23 will not do, we will not leave without Brett, and
24 that could be a bit of a problem"?

25 A. That's correct. Yes.

26 Q. All right. Did you anticipate at that point
27 that Brett would not want to go with you if you left?

28 A. Yes, because Brett was having such a great 9387

1 time and he would have been very disgruntled about
2 having to leave and probably would have been
3 throwing tantrums, I guess.

4 Q. You wrote, "If the Paris business bothers
5 you, we would be quite happy to go someplace else to
6 avoid any situation"; is that right?

7 A. Yes.

8 Q. What's "the Paris business"?

9 A. Well, that could have been that -- that
10 occasion that -- the concert, that particular
11 concert I'm talking about.

12 Q. So you think it might have been in Paris
13 that you had an outburst?

14 A. Yes. Whether the concert was in Paris or
15 not, I'm not sure. But it was in Paris that
16 actually --

17 Q. Was your son sleeping with Michael Jackson
18 during the course of that tour in Europe?

19 A. At some time, yes. At some stage.

20 Q. Well, how often would he spend nights with
21 Mr. Jackson as opposed to his family?

22 A. I don't remember.

23 Q. Did you have a conversation with an
24 investigator for the defense last night?

25 A. Not last night, no.

26 Q. The night before?

27 A. Not the night before, no.

28 Q. From yesterday at 2:30, from yesterday at 9388

1 2:30 in the afternoon --

2 A. Yes.

3 Q. -- did you discuss your testimony or anybody
4 else's testimony with either Mr. Mesereau or any
5 other member of the defense team, lawyer or
6 investigator?

7 A. No.

8 Q. You had no discussion with anybody from 2:30
9 on yesterday, no one at all?

10 A. No.

11 Q. Nobody told you what questions you might be
12 asked today based on yesterday's testimony?

13 A. No.

14 MR. ZONEN: Thank you. I have no further
15 questions.

16

17 REDIRECT EXAMINATION

18 BY MR. MESEREAU:

19 Q. The prosecutor for the government asked you
20 questions about Mr. Jackson, saying that you'd been
21 friends for a long time. Do you remember that?

22 A. Yes.

23 Q. Have you been friends with Mr. Jackson for a
24 long time?

25 A. Yes.

26 Q. For how long?

27 A. Since 1987, I would say.

28 Q. And you're his friend today, correct? 9389

1 A. That's correct.

2 Q. The prosecutor for the government asked you
3 questions about loving Michael Jackson. Do you
4 remember that?

5 A. Yes.

6 Q. Do you love Michael Jackson?

7 A. I do, very much.

8 Q. Why?

9 A. Because he's a caring, a generous,
10 considerate human being. He's just a great person.

11 Q. Have you ever been embarrassed about loving
12 Michael Jackson?

13 A. No. I'm proud of it.

14 Q. The prosecutor asked you questions about Mr.
15 Jackson referring to you as family, correct?

16 A. That's correct.

17 Q. And has he done that?

18 A. Yes, he has.

19 Q. Have you referred to Mr. Jackson as part of
20 your family?

21 A. Yes.

22 Q. Do you consider Mr. Jackson part of your
23 family?

24 A. Yes.

25 Q. Why?

26 A. Well, I guess it's just the closeness that I
27 feel, that it's a little bit more than just
28 friendship, so -- 9390

1 Q. And he asked you questions about having to
2 leave Neverland or something like that. Do you
3 remember that?

4 A. Uh-huh.

5 Q. You're staying there right now, aren't you?

6 A. That's correct.

7 Q. Ever been forced to leave Neverland?

8 A. Never.

9 Q. Never had to escape from Neverland?

10 A. Never.

11 MR. ZONEN: Objection; exceeding the scope

12 of cross-examination.

13 THE COURT: Overruled.

14 Q. BY MR. MESEREAU: Ever gotten in a hot air

15 balloon at Neverland?

16 MR. ZONEN: Objection; irrelevant.

17 THE COURT: Sustained.

18 MR. MESEREAU: No further questions.

19

20 RE-CROSS-EXAMINATION

21 BY MR. ZONEN:

22 Q. With whom did you speak prior to your

23 testimony today, at any time prior to today, about

24 your testimony?

25 A. Who do you mean? Anyone --

26 Q. At the time that you arrived in California,

27 did you talk to anybody about your testimony?

28 A. From the time I arrived in California, I had 9391

1 a meeting with Mr. Mesereau for about five to ten

2 minutes. And with Mr. Scott Ross.

3 Q. For how long?

4 A. For about probably --

5 Q. I'm sorry?

6 A. Between 15 to 20 minutes.

7 Q. You've had 25 minutes of meeting since

8 you've arrived in California for preparation for

9 your testimony today and that's all?

10 A. Yes. I believe so.

11 Q. Now, when you were still in Australia, did

12 you have conversations with Mr. Ross over the

13 telephone?

14 A. No.

15 Q. Did you have conversations with Mr. Mesereau

16 over the telephone?

17 A. No.

18 Q. Did you have a conversation with anybody in

19 Australia before -- anybody while you were in

20 Australia about your testimony, or about this case?

21 A. No. Well, within my family we did talk

22 about it, but -- with my husband and my children,

23 but that's about it.

24 Q. Did anybody from the defense team contact

25 you in Australia?

26 A. No.

27 Q. Well, how did you know you were coming to

28 California? 9392

1 A. I offered to come and help Mr. Jackson. I

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2 offered to come testify.

3 Q. You offered to whom?

4 A. To Mr. Jackson.

5 Q. You called Mr. Jackson?

6 A. I called his office and told them that I was

7 willing to -- to testify.

8 Q. With whom did you speak?

9 A. To Grace.

10 Q. You had a conversation with Grace?

11 A. Well, I rang her and I told her I was

12 willing to do so and she contacted me. She -- to

13 let me know that, yes, it was -- it was okay to do

14 so. And then they made the arrangements.

15 Q. And nobody talked to you at all about what

16 you would say?

17 A. No.

18 Q. So nobody had any idea what you would say

19 before you arrived here?

20 A. No.

21 Q. And then you had a total of 25 minutes of

22 conversation between two different people?

23 A. Yes.

24 Q. All right. And in Australia, did Mr. Oxman

25 call you, Brian Oxman?

26 A. No. He never called me.

27 Q. Did he call your son?

28 A. I believe he called him at some stage, yes. 9393

1 Q. All right. So Mr. Oxman had a conversation
2 with your son; is that right?

3 A. Yes, he did.

4 Q. And did he ask your son questions about what
5 you would be saying as well?

6 A. No. That was prior to me making that
7 decision.

8 Q. So your son had already made the decision to
9 come to Neverland when you then made a decision --

10 A. That's correct.

11 Q. -- at a subsequent time?

12 A. Uh-huh.

13 Q. And nobody had spoken with you about your
14 testimony prior to that?

15 A. No.

16 Q. And then after you made the decision, you
17 called Mr. Jackson's who? Nanny? Is that who that
18 was, Grace?

19 A. Yes.

20 Q. And his nanny was the only person you spoke
21 to about any substantive information about your
22 testimony; is that correct?

23 A. Well, she was the person I communicated
24 with, and she made the proper arrangements and it
25 was -- all the arrangements was made through her.

26 Q. And nobody called you back to discuss your

27 testimony?

28 A. No. 9394

1 Q. Were you given an affidavit to sign or a
2 declaration to sign at some time before coming to
3 the United States?

4 A. No.

5 Q. Did you sign a declaration or affidavit
6 after arriving at the United States?

7 A. No.

8 MR. ZONEN: No further questions.

9 MR. MESEREAU: No further questions, Your
10 Honor.

11 THE COURT: All right. Thank you. You may
12 step down.

13 THE WITNESS: Thank you.

14 THE COURT: Call your next witness.

15 MR. MESEREAU: The defense will call Ms.
16 Karlee Barnes.

17 BAILIFF CORTEZ: Mr. Sneddon? Do you still
18 want the letter here?

19 MR. SNEDDON: I'll take it.

20 MR. SNEDDON: Photographs too?

21 BAILIFF CORTEZ: No.

22 THE CLERK: Please raise your right hand.

23

24 KARLEE BARNES

25 Having been sworn, testified as follows:

26

27 THE WITNESS: I do.

28 THE CLERK: Please be seated. State and 9395

1 spell your name for the record.

2 THE WITNESS: My name is Karlee Barnes.

3 K-a-r-l-e-e; B-a-r-n-e-s.

4 THE CLERK: Thank you.

5
6 DIRECT EXAMINATION

7 BY MR. MESEREAU:

8 Q. Good afternoon, Miss Barnes.

9 Miss Barnes, where is your home?

10 A. In Melbourne, Australia.

11 Q. And do you know the gentleman seated at

12 counsel table to my right?

13 A. Yes, I do.

14 Q. Who is that?

15 A. That's Michael Jackson.

16 Q. And is he a friend of yours?

17 A. Yes, very --

18 Q. How long --

19 A. Very good friend.

20 Q. How long has he been a friend of yours?

21 A. Well, about almost 18 years. We first

22 started speaking on the telephone, and I've known

23 him in person for about 13 years.

24 Q. How did you first get in contact with Mr.

25 Jackson?

26 A. Well, it was pure luck really. When I was

27 about seven years old or so, my brother and I were

28 really, really great big fans of Michael, and my 9396

1 brother wanted to write a letter to him.

2 So he -- well, with my assistance, we got a

3 letter out to him, and we badly -- really, really

4 badly wanted to go to his concert. That was his

5 "Bad" tour. But my mom wouldn't let us go, because

6 we were too small. We'd get crushed by the crowd.

7 So as a consolation, she let us go see his arrival

8 at the airport.

9 And at the airport, he had a number of

10 dancers and backup singers and band members there

11 promoting, giving us show bags and things like that.

12 So my mom handed the letter to one of his dancers,

13 who put the letter into a mail bag.

14 And fortunately, one day Michael decided to

15 pull out a letter and read it, and he put his hand

16 into the fan mail bag and he pulled out my brother's

17 letter, read the letter, and he decided to telephone

18 us to say thank you.

19 And from there --

20 Q. And approximately what year was that?

21 A. It would have been about '87. Or '88.

22 Q. And did you speak with him on the phone that
23 time?

24 A. Yes, I answered the telephone.

25 Q. Okay. And this was in -- this was at your
26 home?

27 A. Yes. It was at home.

28 Q. Okay. And how long did you speak to Michael 9397

1 Jackson?

2 A. Well, when I answered the telephone, I --
3 you know, I said, "Hello?" And a voice comes back,
4 "Hi. May I please speak to Brett?" And I was like,
5 this isn't somebody I've spoken to before. And I
6 said, "Brett Barnes?" And he's like, "Yes, please."
7 And I said, "Okay. I'll just go get him for you."
8 I put the phone down. And my mom said,
9 "Who's on the phone?" And I said, "I don't know,
10 but it sounds like Michael Jackson."

11 And so I ran outside, and I'm like, "Brett
12 Brett, Brett, Michael Jackson's on the phone," and
13 we've gone running back inside.

14 But after that, I was just too shy to speak
15 to him, so it was really only when I answered the
16 telephone that I spoke to him the first time.

17 Q. Okay. When did you next have communication
18 with Michael Jackson?

19 A. It was -- it was such a long time, I really
20 don't remember. But he did call us quite frequently
21 from then on.

22 Q. And did you used to speak to him from time
23 to time?

24 A. Yes. Of course, after I lost, you know, my
25 shyness, I definitely loved getting on the telephone
26 to speak.

27 Q. Did you talk to him a lot?

28 A. Yes. 9398

1 Q. Did you become his friend?

2 A. Yes.

3 Q. Okay. Did your family become friends of
4 Michael Jackson?

5 A. Yes.

6 Q. And you're still his friend, right?

7 A. Yes, definitely.

8 Q. Where are you staying at the moment?

9 A. I'm staying at his ranch, Neverland Valley.

10 Q. And had you stayed there before this trip?

11 A. Yes.

12 Q. How many times do you think you've stayed at
13 Neverland?

14 A. Oh, many, many times. I wouldn't know
15 exactly.

16 Q. Okay. And do you remember the first time

17 you visited Neverland?

18 A. Yes, that was just after I finished the
19 sixth grade, so that would have been like the -- the
20 Christmas of 1990, like 1991.

21 Q. And who did you visit Neverland with, if you
22 remember?

23 A. My mom and my dad and my brother Brett.

24 Q. How long were you there?

25 A. Oh, that I really can't remember.

26 Q. Okay. What's your first memory of Neverland
27 when you first saw it?

28 A. Oh, amazement. I was just so excited and so 9399

1 happy and just so thrilled to be there. And it was
2 just -- it was like going into this -- I don't know,
3 like this paradise that I've never seen before. And
4 it was just, yeah, wonderful.

5 Q. You still enjoy going there?

6 A. Every time I come back it feels like I'm
7 coming home.

8 Q. Okay. Now, the first time you visited
9 Neverland, do you recall where you stayed?

10 A. Yes. The first time my brother and I stayed
11 in Unit 3.

12 Q. Okay. And have you ever been in Michael
13 Jackson's bedroom at Neverland?

14 A. Yep.

15 Q. Do you recall the first time you ever were
16 in Michael Jackson's bedroom?

17 A. Well, the first time we went to his bedroom
18 was when we first met him, he came -- like our
19 family was invited to meet him in his bedroom.

20 Q. Have you been in his bedroom many times?

21 A. Yes.

22 Q. And describe his bedroom, if you would.

23 A. Well, it's like a normal bedroom, really.

24 He's got a bed, and he's got some chairs. And he's
25 got a bathroom.

26 Q. And it's two levels, right?

27 A. Yes, that's right.

28 Q. And what else have you seen in his room that 9400

1 you recall?

2 A. At one stage he had, like, a throne in
3 there, like a big chair. And he had books, and some
4 things that fans have given to him, like a lot of
5 memorabilia.

6 Q. And have you ever spent the night in Michael
7 Jackson's room?

8 A. Yep.

9 Q. How many times do you think you've done
10 that?

11 A. Well, I don't remember exactly how many
12 times, but I do recall at least twice.

13 Q. Have you ever spent the night there with
14 your brother?

15 A. Yes.

16 Q. Has Michael Jackson ever made you feel like
17 you weren't welcome into his room?

18 A. Never.

19 Q. Has he ever made you feel that you could go
20 into his room whenever you wanted?

21 A. Yeah. I mean, basically he's always said to
22 us that his house is our house, we're free to go
23 wherever we like whenever we like.

24 It's out of personal respect that I, you
25 know, wouldn't just walk anywhere, just, you know,
26 because everybody deserves a little privacy.

27 Q. Has Mr. Jackson ever made you feel unwelcome
28 in his home at any time? 9401

1 A. Never, ever, ever.

2 Q. Have you ever gone to his room and just
3 knocked on the door?

4 A. Yes.

5 Q. And has he been in the room when you knocked
6 on the door?

7 A. Yes.

8 Q. Did he let you in?

9 A. Yes.

10 Q. Have you ever been in Mr. Jackson's room

11 with your mom?

12 A. Yes.

13 Q. How many times do you think you've been in

14 his room with your mom?

15 A. Again, I'm not really sure, but it has been

16 on more than one occasion.

17 Q. Now, do you recall ever being in Mr.

18 Jackson's room late at night?

19 A. Yeah, I've stayed -- I've slept in his

20 bedroom.

21 Q. And what were you doing in his room at the

22 time?

23 A. Sleeping.

24 Q. Well, besides sleeping. What --

25 A. Oh, well --

26 Q. Let me rephrase the question. It's not a

27 good question.

28 Before you fell asleep in his room, what 9402

1 were you doing?

2 A. We were all talking.

3 Q. Okay.

4 A. And, you know, just having fun.

5 Q. Uh-huh. What kind of fun?

6 A. I don't know. The fun that kids have. Just

7 making fun of each other and telling jokes. And,

8 you know, doing silly dances, and, you know, just

9 things like that.

10 Q. And would Mr. Jackson do that with you?

11 A. Yeah, he liked skipping and jumping, like

12 all of us.

13 Q. Have you done silly dances with Mr. Jackson?

14 A. Yeah, we always like do, you know, crazy

15 things.

16 Q. Have you walked around Neverland with Mr.

17 Jackson?

18 A. Yeah, many times.

19 Q. And what have you done when you did that?

20 Excuse me. That's not a good question.

21 When you walked around Neverland, what were

22 you guys doing?

23 A. Well, talking, telling jokes. Same sort of

24 thing. You know, running as fast as we can,

25 challenging each other to races. Stopping to look

26 at the animals. And, you know, things like that.

27 Q. And Mr. Jackson would do that with you?

28 A. Yeah. 9403

1 Q. Okay. Have you been to the theater at

2 Neverland?

3 A. Yes.

4 Q. Been in the theater with Mr. Jackson?

5 A. Yes.

6 Q. What have you done in the theater?

7 A. Watched movies.

8 Q. Okay. All right. Do you recall a Jacuzzi
9 at Neverland?

10 A. Yes.

11 Q. Have you been in that Jacuzzi?

12 A. Yes, I have.

13 Q. Have you ever seen Mr. Jackson in it?

14 A. Yes, I have.

15 Q. How about your mom?

16 A. Yes.

17 Q. How about your brother?

18 A. Yes.

19 Q. Have you ever traveled with Mr. Jackson?

20 A. Yes, I have.

21 Q. And how many times have you done that?

22 A. Well, I've been to, like -- well, in my
23 first -- in seventh grade, I spent half of the year
24 over in Europe with him. And in the eighth grade I
25 spent half of the year over in South America. And
26 I've been to Chicago. And we've been to Las Vegas.
27 So I've been, you know, lucky, very fortunate.

28 When he came to Australia for his "History" 9404

1 tour, he took us to South Australia and to Western
2 Australia. So I've been on many, many trips with
3 him.

4 Q. Have you ever been into the -- in the

5 swimming pool --

6 A. Yes.

7 Q. -- at Neverland?

8 A. Yes.

9 Q. And has Mr. Jackson been in there with you?

10 A. Yes, he has.

11 Q. Ever recall Mr. Jackson being pushed into

12 the pool?

13 A. Yes.

14 Q. What happened?

15 A. The boys -- like, there was myself and my

16 brother and two of Michael's cousins. And we would

17 just -- we'd been playing. We had had an egg hunt,

18 because it was around Eastertime. And then the boys

19 decided that they were going to be, you know, a bit

20 more crazy, and they started throwing eggs at

21 Michael and putting them in his hair, and then, you

22 know, they pushed him into the pool just to taunt

23 him even more.

24 Q. Has Mr. Jackson ever hugged you?

25 A. Yes. Many times.

26 Q. Have you ever been suspicious when he hugged

27 you?

28 A. Never, ever. 9405

1 Q. Has Mr. Jackson ever kissed you?

2 A. On the cheek, yes.

3 Q. Have you ever been suspicious of his

4 behavior when he did that?

5 A. No, never.

6 Q. Have you ever hugged Mr. Jackson?

7 A. Plenty of times.

8 Q. Ever kissed Mr. Jackson?

9 A. Of course. On the cheek.

10 Q. Have you ever been suspicious of anything he

11 did when you hugged or kissed him?

12 A. No, never.

13 Q. Have you seen Mr. Jackson hug your brother?

14 A. Yes, I have.

15 Q. Have you seen him kiss your brother?

16 A. Yes. On the cheek, yes.

17 Q. Were you ever suspicious of the behavior

18 when he did that?

19 A. No, never, ever.

20 Q. When you were in Mr. Jackson's room, did you

21 ever see Mr. Jackson do anything inappropriate to

22 your brother?

23 A. No, never, ever.

24 Q. Have you ever seen Mr. Jackson touch your

25 brother in a sexual way?

26 A. No.

27 Q. Have you ever seen Mr. Jackson molest your

28 brother? 9406

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1 A. Never.

2 Q. When you were traveling, your family, with

3 Mr. Jackson did you see you brother with Mr. Jackson?

4 A. Yes, I have.

5 Q. Have you ever been suspicious of any of Mr.

6 Jackson's behavior towards your brother?

7 A. Never.

8 MR. MESEREAU: I have no further questions.

9

10 CROSS-EXAMINATION

11 BY MR. AUCHINCLOSS:

12 Q. Good afternoon, Miss Barnes.

13 A. Hello.

14 Q. You are positively thrilled to be a friend

15 of Michael Jackson's, aren't you?

16 A. Absolutely.

17 Q. You seem almost giddy about it.

18 A. I love him with all of my heart. I've known

19 him since I was about seven or eight years old, so

20 he's one of my closest friends.

21 Q. Do you feel giddy when you're going to see

22 him a little bit, excited?

23 A. I feel no more excited than I would if I was

24 seeing one of my other close friends that I haven't

25 seen in a while.

26 Q. Well, but he's different, isn't he?

27 A. No, he's not. He's just a normal human

28 being like anybody else. He's got the same organs, 9407

1 the same blood, the same emotions, the same feelings

2 as anyone else.

3 Q. Well, but not everybody has Neverland, true?

4 A. Well, he's worked hard to get everything

5 that he wants, so everything that he has he's worked

6 really, really hard for.

7 Q. And he shares it with you?

8 A. Yes.

9 Q. And you love going to Neverland?

10 A. Of course I do.

11 Q. You get thrilled when you get to go there?

12 A. Of course.

13 Q. And when you were a child and you got to go

14 to Neverland, it's kind of like having everything

15 you ever wanted as a kid, isn't it?

16 A. It's like going to a theme park and a zoo

17 all at once, yeah.

18 Q. But it's better than that, isn't it?

19 A. Well, I guess so, yeah.

20 Q. Because it's all yours, it's all private,

21 right? No other kids, no crowds?

22 A. There are other kids, though, because, you

23 know, it's even better when there are other people

24 there to, you know, play games with, have fun with

25 and share things with.

26 Q. Haven't you been there when it was just your
27 family?

28 A. Yes, I have. 9408

1 Q. And you get to stay up late?

2 A. Yes.

3 Q. And you get to have whatever you want to eat
4 whenever you want it, right?

5 A. Like when I'm on any other vacation or
6 holiday, yes.

7 Q. And you can play with Michael Jackson, the
8 superstar, right?

9 A. No, Michael Jackson, the human being.

10 Q. Well, he is a superstar.

11 A. Yeah, I recognize that, but he's also a
12 normal human being like anybody else.

13 Q. But didn't you say that you were a huge fan
14 of Michael Jackson's before you ever met him?

15 A. Yes. Yes, I was. And I'm still a huge fan
16 of his music today.

17 Q. Okay. So you greatly admire him for that?

18 A. I admire him for many things, yes, including
19 his music.

20 Q. Okay. Now, you testified a little bit about
21 your experiences with Michael Jackson and your
22 brother.

23 A. Yes. Yes.

24 Q. And the very first night that you went to
25 Neverland, you spent all night in his bedroom,
26 didn't you?

27 A. Well, we didn't spend all night in his
28 bedroom, no. We took a tour of the ranch. We went 9409

1 on the train that goes around the ranch. We saw,
2 you know, as much we could of the theme park, the
3 zoo. Because my brother and I were so excited to
4 see a place we'd never been before, we spent the
5 whole night trying to see everything all at once.

6 Q. Okay. But eventually you went back to Mr.
7 Jackson's room, correct?

8 A. We might have. I don't remember.

9 Q. Didn't you tell an investigator that; that
10 you spent the entire first night at Neverland in Mr.
11 Jackson's room?

12 A. No, I didn't.

13 Q. You weren't playing video games in his room?

14 A. I didn't say that, no.

15 Q. Did you go into his room that night?

16 A. I did go into his room that night when we
17 first met him, yes.

18 Q. Did you stay up all night?

19 A. Yes, I did stay up all night, as I said
20 before, both of us.

21 Q. And --

22 A. And I remember this because we slept the
23 whole day the next day.

24 MR. AUCHINCLOSS: It's nonresponsive. I'll
25 object.

26 THE COURT: Sustained.

27 Q. BY MR. AUCHINCLOSS: Now, Miss Barnes, how
28 many nights have you spent at Neverland? 9410

1 A. I don't remember. It's been that many that

2 I -- I simply can't recall.

3 Q. Hundreds, maybe?

4 A. Well, I wouldn't say hundreds. But
5 definitely more than 10, 20, 30 times, yes.

6 Q. More than a 100?

7 A. I don't remember, but maybe.

8 Q. Okay. And of that 100 or so nights at
9 Neverland, you've spent only two nights in Mr.
10 Jackson's room?

11 A. That I remember, yes.

12 Q. Okay. And of those 100 nights that you
13 spent at Neverland, how many nights was Mr. Jackson
14 there?

15 A. Probably about 80, 90 percent.

16 Q. Okay. And of that 100 nights, how many
17 nights was your brother there?

18 A. All the time.

19 Q. Okay. Every time that you were there?

20 A. Every time I was there, my brother was
21 there, yes.

22 Q. And of those hundred or so nights, 80
23 percent of the time your brother slept -- when Mr.
24 Jackson was there, your brother basically slept in
25 Mr. Jackson's room virtually every one of those
26 nights, didn't he?

27 A. Yes, because he wanted to.

28 Q. That's a "yes" or "no" question. 9411

29 A. Yes.

30 Q. Can you tell me why you didn't spend the
31 night in Mr. Jackson's room as much as your brother?

32 A. Because I'm a girl, and I prefer to have a
33 little bit of privacy.

34 Q. Okay. I see. Is it your opinion that --
35 well, let me back up.

36 How old was your brother at that time?

37 A. What, when we first started going to his
38 house?

39 Q. Uh-huh.

40 A. He was about -- well, I was about 12, so he
41 was about ten.

42 Q. Okay. So are you saying that it's okay for
43 a 35-year-old man who's unrelated to sleep with a
44 ten-year-old boy, but it's not okay for a
45 35-year-old man who's unrelated to a girl to sleep

18 with her?

19 A. I'm not saying that at all. I'm saying that
20 from my personal point of view, I was developing
21 into an adult, and I was at the stage where I wanted
22 my own privacy.

23 Q. Uh-huh.

24 A. And there were times when I was happy to,
25 you know, hang out with them and sleep in their
26 room, and there were times when I wanted to have my
27 own room.

28 Q. Only two nights that you felt like sleeping 9412

1 with them?

2 A. That I remember, yes.

3 Q. Okay. Did you know that there were other
4 boys that were at Neverland?

5 A. Yes.

6 Q. Did you see other boys when you were at
7 Neverland?

8 A. Yes.

9 Q. Did you see them sleep in Mr. Jackson's
10 room?

11 A. Yes.

12 Q. Mr. Jackson chose your brother to be a very
13 special friend of his, didn't he?

14 A. Yes, because the reason why --

15 Q. That's a "yes" or "no" question.

16 A. Yes. Well, yes.

17 Q. Thank you.

18 Now, when you went on tour with Mr. Jackson,

19 you spent how many nights on tour?

20 A. Well, as I said, it was about half the year

21 I was in Europe when I was in the seventh grade, and

22 about half of the year I was in South America in the

23 seventh -- in the eighth grade.

24 Q. How old was your brother at that time?

25 A. I was what, 13, 14. So he would have been

26 about 11 or 12.

27 Q. And virtually every night on that tour, Mr.

28 Jackson slept with your brother Brett? 9413

1 A. Yes.

2 Q. How many nights would that have been,

3 approximately?

4 A. Let's see, let's divide 365 days into half.

5 Q. Okay. Is that about it? About --

6 A. Well, if I said I spent half the year

7 overseas with him one year and half of the year

8 overseas with him the other year, I think that would

9 total about 365 days altogether.

10 Q. Okay. So 365 nights he spent the night

11 alone with your brother in his room?

12 A. Yes.

13 Q. Did that ever -- did that ever seem odd to

14 you?

15 A. No.

16 Q. Didn't seem odd to you that a 35-year-old

17 man --

18 A. Not at all.

19 Q. -- is sleeping with a ten-year-old boy?

20 A. Not at all.

21 Q. During this entire period of time that

22 you've known Mr. Jackson, has he given you gifts?

23 A. Yes, he has.

24 Q. Did he fly you over to the United States?

25 A. Yes, he has.

26 Q. Do you fly first class?

27 A. I have flown first class, and I've also

28 flown business class. 9414

1 Q. Did your mother permit this?

2 A. Yes. And so did my father.

3 Q. And do you know if your brother thinks it's

4 a disgrace to be a victim of a child molestation?

5 A. Of course he would. I do, too.

6 Q. So if he had to admit that, it would be

7 disgraceful, wouldn't it?

8 A. Well, no, it's a disgrace that it would

9 happen to a child. Not a disgrace to admit that it

10 happened, but a disgrace that it has happened, if it

11 has happened.

12 MR. AUCHINCLOSS: Thank you. No further

13 questions.

14

15 REDIRECT EXAMINATION

16 BY MR. MESEREAU:

17 Q. The prosecutor for the government asked you

18 about your brother being a special friend of Michael

19 Jackson. Are you a special friend of Michael

20 Jackson?

21 A. Yes. And my parents are as well.

22 Q. Why?

23 A. Well, because we treat him just as we would

24 treat anybody else, as a normal human being. We

25 don't take advantage of him, we trust him, we love

26 him, and we give him a normal sense of life that so

27 many other people never, ever do.

28 Q. The prosecutor for the government asked you 9415

1 about your brother sleeping with Michael Jackson,

2 okay?

3 A. Yes.

4 Q. And you were traveling when your brother

5 would be in Mr. Jackson's room, right?

6 A. Yes.

7 Q. Did you ever suspect anything improper was

8 going on?

9 A. Never.

10 Q. The prosecutor for the government asked you
11 if -- didn't it seem odd that Michael Jackson was in
12 a room with your brother. Did you think it was odd?

13 A. No, I didn't think it was odd.

14 Q. Why?

15 A. Because -- well, he's a family friend. He's
16 like a brother to us. He's given us -- not just
17 given us gifts and given us things, but he's -- you
18 know, he's given us --

19 MR. AUCHINCLOSS: Objection; narrative.

20 THE COURT: Overruled.

21 You may finish.

22 THE WITNESS: He's given us friendship and,
23 you know, experiences that we would never get to
24 see, you know, and....
25 My brother really always wanted to be there.
26 He wanted to spend every minute, and he still wants
27 to spend all of his minute -- all his time with him.
28 MR. AUCHINCLOSS: Objection; nonresponsive. 9416

1 THE COURT: All right.

2 THE WITNESS: And that's why it's not
3 strange, because my brother wanted it.

4 MR. AUCHINCLOSS: Objection; it's non-
5 responsive.

6 THE COURT: Overruled.

7 Q. BY MR. MESEREAU: The prosecutor for the

8 government asked you about victims of child
9 molestation. Did you ever think your brother was a
10 victim of child molestation?

11 A. Never.

12 Q. Did you ever think you were a victim of
13 child molestation --

14 A. Never.

15 Q. -- of Michael Jackson?

16 A. Never.

17 Q. Now, have you learned about allegations in
18 this courtroom that somehow your brother was
19 improperly touched?

20 A. I have heard that that has been said by
21 other people.

22 Q. What do you think of that?

23 A. I think they're liars.

24 MR. MESEREAU: No further questions.

25

26 RE-CROSS-EXAMINATION

27 BY MR. AUCHINCLOSS:

28 Q. Miss Barnes, has it ever occurred to you 9417

1 that virtually all families that have victims of
2 child molestation where the molester is a friend and
3 acquaintance, has it ever occurred to you that they
4 are shocked and disbelieving when they learn that
5 fact?

6 MR. MESEREAU: Objection. No foundation;

7 argumentative.

8 THE COURT: Sustained.

9 MR. AUCHINCLOSS: Goes to credibility.

10 THE COURT: The objection is sustained.

11 Argumentative.

12 MR. AUCHINCLOSS: Nothing further.

13 There's no question.

14 THE COURT: That's true.

15 MR. MESEREAU: Oh, okay.

16 THE COURT: But you could say, "No

17 questions."

18 You may step down.

19 THE WITNESS: Thank you.

20 THE COURT: (To the jury) I think it's time

21 for you folks to go home. We've got a couple of

22 things to do, and I think we'll just recess until

23 Monday morning.

24 Let me tell you another day we've just --

25 I've been asked if we could take the 20th of

26 September, which is -- or "September."

27 (Laughter.)

28 THE COURT: I'm going to give you the 20th 9418

1 of September.

2 The 20th of this month, May, one of the

3 attorneys has asked -- one of the attorneys has a

4 commitment which I'm going to allow him to keep.

5 And I think it's good, too, that we get a break like
6 that.

7 So next Tuesday afternoon we're off, and the
8 20th of May. And we think we're on schedule, just
9 so you're -- if you're wondering about that
10 information. Everything looks like we're right on
11 schedule. So see you Monday.

12 Remember the admonitions.

13

14 (The following proceedings were held in
15 open court outside the presence and hearing of the
16 jury:)

17

18 THE COURT: Mr. Sneddon, you had an issue you
19 wanted to take up.

20 MR. SNEDDON: Yes. Actually, I have two
21 issues, Your Honor.

22 THE COURT: All right.

23 MR. SNEDDON: The first issue I'd like to
24 address is a discovery issue, which has been an
25 ongoing problem. And I wanted to alert the Court to
26 the details and also make a record in that respect.
27 We announced last week that we were going to
28 rest, and then again the beginning of this week 9419

1 announced that we figured we'd be finished by

2 Tuesday. We didn't. We finished on Wednesday.

3 But when we began to ask for defense

4 witnesses, we were given the name of six witnesses.

5 Five of them were not even on the defense witness

6 list, and the discovery was provided about five

7 o'clock the day before we were to rest. Then we

8 find out yesterday on the witness stand that one of

9 the witnesses had signed a declaration that we

10 hadn't been provided by the defense.

11 Last Saturday, I faxed a letter to the

12 defense, after having reviewed the defense witness

13 list and compared that to our discovery, and there

14 are at least 75 to 80 people listed on the defense

15 list where we have no documentation or reason or

16 reports or anything to indicate why those people are

17 going to be called in this case.

18 Since that time, I've further expanded my

19 research on that issue. There are at least four

20 employees from the ranch for which we have no

21 reports on. Today there were three witnesses that

22 they were going to call that we have no reports on,

23 one of whom was not even on their witness list that

24 was read to the jury.

25 There are 21 celebrities that they mentioned

26 in their witness list. Of those, 15 have no reports

27 indicating what they're going to testify to.

28 There are 12 Los Angeles Police Department 9420

1 officers, only six of which can we identify anything
2 that shows their names in the reports. We have no
3 idea what the others are going to testify to, and I
4 might add that I don't think they know what they're
5 going to be asked to testify to.

6 In sum and substance, Your Honor, it is not
7 my desire to prolong this case. I have every -- as
8 much interest as this Court does in moving it. On
9 the other hand, in being fair to us and the way that
10 the Court required us to provide discovery to the
11 defense, I think we've been placed in a very unfair
12 posture at this point in the trial with regard --
13 for instance, just to use an example and then I'll
14 just sit down.

15 For example, two of the witnesses that were
16 going to be called today, Detective Birchim and
17 Jerome -- James --

18 MR. ZONEN: Jimmy Johnson.

19 MR. SNEDDON: It's not Jimmy Johnson. Van
20 Norman. They were witnesses whose depositions were
21 taken in a lawsuit for which we have not been able
22 to gain access because there's Court orders sealing
23 those records. And the defense knows that they're
24 going to call these people as witnesses, yet they've
25 never provided the transcripts to us, yet we
26 provided all of the transcripts of everything we had

27 during the 1993 investigation.

28 That's the kind of disadvantage that we're 9421

1 being placed at, and I'm only asking the Court to

2 hold the defense to the same standard that we're

3 held to and were being held to during the

4 presentation of our case.

5 Now, I'm not unreasonable. I understand that

6 there are going to be times when there are going to

7 be things that are going to be turned over late.

8 That happened to us. Somebody says something

9 different or adds something to something at the last

10 minute. But to have this kind of problem set forth

11 when we're talking about literally hundreds of

12 witnesses with no documentation, I think it's going

13 to be very difficult for us to be prepared to

14 continue and keep this trial moving on track. And

15 I'm asking for the Court to enforce the provisions

16 of the Penal Code that requires the defense to

17 comply with discovery.

18 Oh, I want to also add, some of the reports

19 that we were provided at five o'clock on Tuesday

20 night were reports that were dated in January. In

21 other words, the defense had had them for four, five

22 months.

23 Oh, can I -- do you want me to tell you the

24 second thing and I'll sit down, or do you want to do

25 them separately?

26 THE COURT: Whatever you like.

27 MR. SNEDDON: Let me do it separately -- at

28 the same time and get it done. 9422

1 MR. SANGER: At the same time; separate?

2 MR. SNEDDON: I indicated to the Court that

3 it is our opinion, and we filed a brief on it this

4 morning, that the defense has opened up the area of

5 character evidence by introducing a lot of opinion

6 evidence through all these witnesses, and we're

7 asking the Court to hold a hearing as to what we are

8 entitled to ask, in good faith, of have-you-heard

9 questions and to have some of those people re-called

10 as witness or for future witnesses that may stray

11 into that area.

12 Thank you.

13 THE COURT: I haven't seen that material yet.

14 MR. SNEDDON: Okay.

15 THE COURT: Usually it's brought over to me

16 as soon as it's filed, so are you sure you filed it

17 this morning?

18 MR. ZONEN: It was this morning.

19 MR. SNEDDON: I was under the impression it

20 was filed this morning.

21 THE COURT: Okay. Usually I have it by now.

22 As to the discovery issue?

23 MR. SANGER: Yes. Before I address that,
24 can I just -- on the matter of things getting to the
25 Court, we also filed something this morning, and
26 Your Honor, a little while ago, didn't have it.
27 THE COURT: Which was the -- yeah, I don't
28 have that either. 9423

1 MR. SANGER: It was the response to --

2 THE COURT: I know what you're talking -- to
3 the last item on --

4 MR. SANGER: I remember sequentially what it
5 was, but the substance is escaping me at the moment.
6 Anyway, we did file it. It was on Mr. Viner's
7 testimony.

8 THE COURT: Viner's testimony. Yes, I --
9 okay.

10 MR. SANGER: Well, I suppose all I'm saying
11 is, there may be a glitch somewhere in the conveyor
12 belt from where it started and where it's coming.

13 THE COURT: I'll check.

14 MR. SANGER: With regard to discovery, first
15 of all, there's some factual inaccuracies in what
16 Mr. Sneddon just said, one of which is he said that
17 names were not on the witness list that we have
18 included on our list of people that we're trying to
19 give both the Court and counsel prior to calling
20 them.

21 And that is not correct. They are -- the
22 ones that are added are at the end, starting on page
23 28 on the sixth amended witness list. So they were
24 put on the witness list, but they are not
25 alphabetical.

26 THE COURT: But you gave that list yesterday.

27 MR. SANGER: No, it was -- this last one was
28 a couple of days ago. 9424

1 THE COURT: The day before?

2 MR. SANGER: But we have -- well, there's
3 two different lists. Let's just be clear, Your
4 Honor.

5 THE COURT: I guess the question, though, is,
6 does that really comply if you make a new list and
7 put the name on it the day before you call a witness
8 when you gave the real list several months ago? I
9 mean, I find that to be a little --

10 MR. SANGER: Let me address that before the
11 Court forms an opinion on this - okay? - if I may.

12 THE COURT: All right.

13 MR. SANGER: I'm sorry, I didn't mean to
14 misread what the Court was saying.

15 What I -- what has happened is, we have
16 witnesses on this -- on the big list that was
17 provided originally in December. The prosecution
18 filed one in December, and then we all filed amended

19 ones in January, and both sides have tried to keep
20 up, all right?

21 The defense has had to react to certain
22 things that have occurred. For instance, the
23 prosecution has called some people that they
24 indicated at first they weren't going to call,
25 particularly on the 1108. Mr. Abdool was a late
26 addition. He may have been on their master list,
27 but when it came down to figuring who they were
28 really going to call, they called a small percentage 9425

1 of the people they had on their master list.

2 THE COURT: I hope you do the same.

3 MR. SANGER: And we will do the same unless

4 Mr. Sneddon forces us to call every one just to show
5 that we can do it.

6 What we have done, seriously, is taken the
7 master list, which had, oh, let's see, something
8 like -- by the time we add all these other people,
9 something like 500-and-some people on it.

10 We've taken that master list -- now, the
11 master list, our understanding of providing it was
12 any name or any possible witness who could be called
13 by either side or whose testimony would figure
14 prominently in the case, or their presence, even if
15 they didn't testify. So we were trying to provide
16 the Court with something that the Court could read

17 and ultimately have counsel read it to the jury so
18 they could see if they knew any of these people. It
19 did not mean that we were going to call everybody.
20 And I think both sides know that, that that's the
21 case.

22 Now we're coming down to the people we're
23 calling. We tried to give a list, not just for
24 today, but we gave a list for a couple of three
25 days' worth of witnesses.

26 As I explained to Mr. Sneddon personally,
27 and as they did, we have to shift things around as
28 time goes on. We expected that, for instance, we 9426

1 were going to start earlier, and as a result of
2 that, we had other witnesses who were going to be --
3 who were ready to be called, and now we've had to
4 reschedule them because they're from out of town,
5 and that's just the way it goes. So that's that.

6 Now, of the people on the list, on our list
7 that we gave to Your Honor and to the District
8 Attorney, the short list, the -- the ones we're
9 calling right now, there was one witness for which
10 we had a declaration which we....

11 You have it. Okay. I take it you have Mr.
12 Sneddon's as well.

13 THE COURT: Now I have each of those
14 documents.

15 MR. SANGER: Thank you.

16 Of the people that Mr. Sneddon just referred
17 to -- he said there were three people. Of those
18 three people, there was one person, Francine Orozco,
19 who we had a declaration from, and we believed that
20 it had been turned over along with a whole series of
21 declarations that had been turned over. They said
22 they didn't get it.

23 We went back. We can't show that we gave it
24 to them. I gave a copy immediately to Mr. Zonen
25 and agreed that we would not call Francine Orozco
26 until they had a chance to review it. He said
27 Monday would be fine, so I think we worked that out.
28 We're trying to be reasonable on that. 9427

1 The other two, Russ Birchim is a
2 sheriff's -- I believe he's a commander now, isn't
3 he?

4 THE COURT: I think so.

5 MR. SANGER: He's a commander, and the only
6 thing we were going to ask him about is contained in
7 his reports on this case, and we have not
8 interviewed him independently. There was one other
9 small issue we were going to ask about. I won't
10 announce what it was. I've explained this to Mr.
11 Zonen. It was an issue that he testified to in the
12 Abdool trial.

13 The Abdool court reporter's notes are, by
14 and large, not available, and what few notes we got
15 were such -- they were so garbled, we couldn't read
16 it. In fact, the court reporter hired a computer
17 expert to try to straighten it out and couldn't. We
18 got no notes with regard to this person.
19 So he testified. I told Mr. Zonen what he
20 testified to, which was basically a one-sentence
21 issue, and I said we weren't -- we weren't going to
22 call him for that anyway. So the only issues we're
23 calling him on would be issues for which he wrote a
24 report in this case.
25 The last witness they referred to, James Van
26 Norman, we put on the list not to call him today,
27 but to call him next week. We're just trying to
28 give them a heads-up for a couple, three days, and 9428

1 we have not reinterviewed him.

2 Now, I was just told today, and I wasn't
3 aware of this, that the prosecution did not receive
4 copies of the Abdool case. Because they had Mr.
5 Ring on their witness list, my understanding was
6 they had all the depositions and the files. All the
7 public files have been ordered unsealed, with the
8 exception of just a very few, thanks to Mr. Boutrous
9 and his never-ending work over there in Judge
10 Canter's court. I am now informed, as of today,

11 that they did not have these depositions.

12 I have not reviewed his deposition, and we
13 have no new report. We expect to talk to him before
14 bringing him up here again. I will get his
15 deposition, to the extent we have it, from our old
16 files. If we have it, we will give it to them. So
17 that was really it.

18 Now, as far as the rest of the people are
19 concerned, we are -- to the extent we knew we were
20 going to call them and we intended to call them and
21 we interviewed them, we have provided reports. If
22 we have any reports on anybody - in other words,
23 anybody that's on the master list - that we intend
24 to call, if we had a report, we turned it over, to
25 the best of my knowledge. I don't know how Orozco
26 slipped through as a declaration, but other than
27 that, we have turned them over.

28 We understand our obligations. I think 9429

1 we're complying with them. The People, as Mr.
2 Sneddon acknowledged -- you know, there were -- a
3 couple people actually got on the stand, as the
4 Court may recall, and we didn't have a report from
5 them at all. So it happens. The Court dealt with
6 it and said, "Call them tomorrow." I voluntarily
7 said to do that with Miss Orozco. I suspect that we
8 will cooperate in that regard. I don't think we're

9 going to have a problem. We will have a further
10 meeting today to make sure that all these Abdool
11 depositions that pertain to witnesses we intend to
12 call get turned over.

13 So I think that really answers the question.

14 We haven't been withholding anything. And I'd
15 suggest -- rather than arguing back and forth,

16 unless there's something I said that was factually
17 inaccurate, I'd suggest we try to continue to work

18 this out, because I have talked with Mr. Zonen and I
19 thought we were doing fine.

20 THE COURT: Is there a way that you could --

21 here's the problem that I find from both sides, and

22 that is that if there's no report, the party

23 notifying the other side of the witness could make

24 such a notation beside the name, so it's clear on

25 the record to each other -- not for me, but to each

26 other that there is no report, and it gives them a

27 chance -- and if you say there is a report and they

28 don't have it, they could get it to you immediately. 9430

1 There's a problem when you don't know if you're just

2 not giving a report, forgot to give a report, or

3 there's no report.

4 MR. SANGER: More -- beyond that, I would go

5 beyond that. There will be a report on everybody.

6 I mean, even if the report is, "Their statement is

7 their declaration." We actually have one person at
8 this point, the only statement that we could turn
9 over was a statement that a lawyer -- paraphrase of
10 what a lawyer told us. In other words, we haven't
11 had a chance to interview that witness yet. We may
12 or may not before the witness is called. If we do,
13 we'll give a formal report. But we have provided
14 that to the D.A. We'll let them know.

15 There is the concept of rebuttal, and Mr.
16 Mesereau is reminding me to just let the Court know.
17 Obviously, a couple of these people, I think I said
18 that at the very beginning --

19 THE COURT: I understood that.

20 MR. SANGER: -- Orozco and Jimmy Van Norman
21 are really rebuttal to what came up very recently in
22 the case. It's not we're holding back. It's that
23 we're responding the best we can to that.

24 And we're starting with the '93 segment of
25 the case, which I think is appropriate from our
26 standpoint, but it also is the part where we have
27 the real rebuttal burden because we didn't know
28 whether it was coming in and what was coming in 9431

1 until late, so it's compounded that problem. But I
2 think we're getting it done.

3 So if there's any other problem, I would
4 suggest we meet and confer. And -- hold on one

5 second. I'm sorry. Yeah.

6 (Discussion off the record at counsel

7 table.)

8 MR. SANGER: And I think the Court

9 understands, for instance, there are experts like

10 the financial expert who just came forward, and we

11 got his PowerPoint I think the very morning he was

12 put on, if I'm not mistaken. So, we -- we have to

13 respond --

14 THE COURT: I understand there's always

15 problems on both sides.

16 MR. SANGER: We're doing our best is all I

17 can tell you.

18 THE COURT: I expect you to comply, as I do

19 both sides.

20 Is there anything you want to add that?

21 MR. SNEDDON: Well, I'd like to get out of

22 here early today, Judge, but I just want to say, are

23 we to assume, then, from Mr. Sanger if we don't have

24 a report from anybody, they made the decision not to

25 call them? I mean, there's over 100 people on

26 there, plus, that we --

27 MR. SANGER: No.

28 MR. SNEDDON: Well, can we find out? 9432

1 MR. SANGER: There's 500 people on that

2 original list.

3 MR. SNEDDON: With no indication why they're
4 coming.

5 MR. SANGER: Let's just make that clear.

6 One more time, just like the prosecution gave us a
7 giant list with a lot of people, we gave them a
8 giant list with a lot of people. We're not going to
9 call everybody on that list. So the prosecution
10 can't assume anything from that.

11 When we give them the list, which we typed
12 out and gave the Court a copy and we gave the
13 prosecution the same thing, when we do this, as we
14 do this, we expect that there will be a report
15 that's been disclosed on every single one of the
16 people that we put on the list before we call them.
17 And if we have it, we'll give it to them right now.
18 If we're -- for instance, in the case of the one
19 person who's not on the list yet, the one person who
20 we've only talked to his lawyer, we can't give a
21 further report until we get it. So that's the
22 example.

23 But as far as other people that are on the
24 master list, nothing should be assumed. I mean,
25 we're going to provide the discovery as soon as we
26 can. And if we interviewed somebody and we intended
27 at the time to call them, we would turn it over, and
28 that's still our position, and that's what we will 9433

1 do. And I think once we get over the 1108, which is
2 a little bit spontaneous because of the way it came
3 up, it should go a little smoother.

4 MR. SNEDDON: Judge, the difference is very
5 fundamental. We turned -- we had a list of people
6 and we didn't call them all, but we gave discovery
7 on everybody on that list before this trial started,
8 so that if we did call them they could prepare.

9 There were a couple of people -- there were a couple
10 of people who we added to that list during the
11 course of the trial.

12 And I don't mind a couple of people being
13 added. We're talking about hundreds of people here,
14 without us having an ability to even know why
15 they're going to be called or what they're going to
16 say, and they're going to walk in here, and I
17 guarantee you, they're going to dump it on us two or
18 three days before they come in here. If we're lucky.

19 MR. SANGER: We promise not to dump it on
20 them.

21 MR. SNEDDON: Well, I don't want promises.
22 I want compliance. We had compliance dates that you
23 gave us. Why don't they?

24 MR. SANGER: Well, I don't know if this is
25 productive. The fact of the matter is, there were a
26 tremendous number of witnesses for which we had no
27 reports. And we were --

28 MR. SNEDDON: That's not true. 9434

1 MR. SANGER: And we filed something in
2 writing demanding the reports and we were told they
3 didn't have them. They had several experts in
4 different categories and they gave us no reports.
5 We couldn't even figure out who they were.
6 Your Honor may recall we filed a motion
7 because they had names down there that weren't even
8 real names of people. They had -- I remember one
9 person, they had two people's names put together,
10 totally different people put together with a hyphen,
11 and we spent forever trying to figure out who that
12 was. So we're beyond that, and we're going to do
13 our best and --

14 THE COURT: What I want you to do is to give
15 them the reports on the witnesses that you have as
16 soon as you possibly can.

17 MR. SANGER: Yes, sir. That's what we --

18 THE COURT: That's what's required.

19 MR. SANGER: That's what we intend to do.

20 And with the exception of Orozco, for which I
21 apologize - that was an old declaration - I think
22 we've been doing the best we can. So we'll --

23 THE COURT: And I do remember that I gave you
24 some relief. We continued -- you know, we had to
25 put some witnesses off until the next week, or

26 several days, anyway. So if that is happens, you're
27 entitled to the same type of relief.

28 MR. SANGER: Do you want to address the 9435

1 character issue, or not?

2 THE COURT: Not right now. Now I have them.

3 I haven't read it, so I want time to study what
4 we're dealing with.

5 Are you going to file a response to that?

6 MR. SANGER: That's what I was going to say.

7 If the Court would like, or give us permission to do
8 it, we would like to file a response.

9 THE COURT: I would, if you'll file that
10 Monday.

11 MR. SANGER: Yes, sir.

12 THE COURT: Then I think --

13 MR. SANGER: Eight o'clock or 8:15 or
14 something?

15 THE COURT: Yeah, that's fine.

16 Now we have to have an in-camera hearing on
17 the issue that Mr. Mesereau requested, so I'll need
18 an attorney from each side, the court reporter and
19 the clerk.

20 MR. SNEDDON: I'll go in.

21 THE COURT: And for those present in the
22 courtroom, there won't be any further open court
23 sessions today, so if you want to leave, you may.

24 MR. MESEREAU: Your Honor, can Mr. Jackson

25 leave?

26 THE COURT: Yes, Mr. Jackson may leave, too.

27 (The proceedings adjourned at 1:20 p.m.)

28 --oOo-- 9436

1 REPORTER'S CERTIFICATE

2

3

4 THE PEOPLE OF THE STATE OF)

5 CALIFORNIA,)

6 Plaintiff,)

7 -vs-) No. 1133603

8 MICHAEL JOE JACKSON,)

9 Defendant.)

10

11

12 I, MICHELE MATTSON McNEIL, RPR, CRR, CSR

13 #3304, Official Court Reporter, do hereby certify:

14 That the foregoing pages 9275 through 9437

15 contain a true and correct transcript of the

16 proceedings had in the within and above-entitled

17 matter as by me taken down in shorthand writing at

18 said proceedings on May 6, 2005, and thereafter

19 reduced to typewriting by computer-aided

20 transcription under my direction.

21 DATED: Santa Maria, California,

22 May 6, 2005.

23

24

25

26

27 MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

28 OFFICIAL COURT REPORTER 9437

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