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10 Attorneys for Defendant
11 MICHAEL JOE JACKSON

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 FOR THE COUNTY OF SANTA BARBARA
14 SANTA MARIA DIVISION

15 THE PEOPLE OF THE STATE OF
16 CALIFORNIA,

17 Plaintiff,

18 vs.

19 MICHAEL JOE JACKSON

20 Defendant.

) CASE NO. 1133603

) THOMAS A. MESEREAU, JR.'S REQUEST
TO MAKE A PUBLIC STATEMENT

) HEARING:

) DATE: JANUARY 13, 2005

) TIME: 3:00 P.M.

) Place: Dept. SM-2

~~FILED UNDER SEAL & STAY~~

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

JAN 13 2005

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

1 On behalf of Mr. Michael J. Jackson ("Mr. Jackson"), lead counsel, Thomas A.
2 Mesereau, Jr., respectfully requests that the Court permit him to make a public statement,
3 which is attached hereto as Exhibit A. This statement has been prepared so as to avoid
4 issues of concern in this criminal matter.

5 The defense learned this morning that the Grand Jury material has been "leaked" to
6 the media. A true and correct copy of the ABC News article circulating on the Internet is
7 attached hereto as Exhibit B.¹

8 This article is an example of someone's attempt to poison the jury pool and inflame
9 the public on the eve of trial. It is highly prejudicial to Mr. Jackson. Accordingly, Mr.
10 Mesereau respectfully requests the Court to permit him to respond. The attached
11 proposed statement is short, concise and consistent with the spirit and letter of this
12 Court's Protective Order.

13
14 DATED: January 13, 2005

Respectfully submitted,

15 Thomas A. Mesereau, Jr.
16 Susan C. Yu
17 COLLINS, MESEREAU, REDDOCK & YU

18 Robert M. Sanger
19 SANGER & SWYSEN

Brian Oxman
20 OXMAN & JAROSCAK

21 By:


22 Susan C. Yu
23 Attorneys for Mr. MICHAEL J. JACKSON
24
25
26

27 ¹ A proposed Redacted version of Mr. Mesereau's Request to Make a Public statement is
28 concurrently filed herewith. The only portion being redacted is Exhibit B, i.e., the ABC News
article. This article is redacted because it is highly inflammatory and prejudicial to Mr. Jackson.

2770

EXHIBIT A
REDACTED

EXHIBIT B

Redacted

1 **PROOF OF SERVICE**

2 I, the undersigned, declare:

3 I am a citizen of the United States of America, am over the age of eighteen (18)
4 years, and not a party to the within action. I am employed at 1875 Century Park East, 7th
Floor, Los Angeles, CA 90067. On January 13, 2005, I served the following document:

5 **THOMAS A. MESEREAU, JR.'S REQUEST TO MAKE A PUBLIC STATEMENT**

6 on the interested parties addressed as follows:

7 Thomas Sneddon, Esq., District Attorney
8 Gerald Franklin, Esq.
9 Ronald Zonen, Esq.
10 Gordon Auchincloss, Esq.
11 District Attorney's Office
12 1105 Santa Barbara Street
13 Santa Barbara, CA 93108
14 FAX: (805) 588-2398

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

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

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

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

26 (Federal) I declare that I am employed in the office of a member of the bar of this
27 court at whose direction the service was made.

28 Executed on January 13, 2005, at Los Angeles, California.

29 
30 Susan L. Xu

PROOF OF SERVICE
1013A(1)(3), 1013(c) CCP

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA:

I am a citizen of the United States of America and a resident of the county aforesaid. I am employed by the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action. My business address is 312-H East Cook Street, Santa Maria, California.

On JANUARY 14, 2005, I served a copy of the attached THOMAS A. MESEREAU, JR.'S REQUEST TO MAKE A PUBLIC STATEMENT REDACTED addressed as follows:

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

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

X FAX

By faxing true copies thereof to the receiving fax numbers of: (805) 456-0699 (Thomas Mesereau, Jr.); (805) 568-2398 (Thomas Sneddon). Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(1), a transmission report was properly issued by the transmitting facsimile machine and is attached hereto.

 MAIL

By placing true copies thereof enclosed in a sealed envelope with postage fully prepaid, in the United States Postal Service mail box in the City of Santa Maria, County of Santa Barbara, addressed as above. That there is delivery service by the United States Postal Service at the place so addressed or that there is a regular communication by mail between the place of mailing and the place so addressed.


 PERSONAL SERVICE

By leaving a true copy thereof at their office with the person having charge thereof or by hand delivery to the above mentioned parties.

 EXPRESS MAIL

By depositing such envelope in a post office, mailbox, sub-post office, substation, mail chute, or other like facility regularly maintained by the United States Postal Service for receipt of Express Mail, in a sealed envelope, with express mail postage paid.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 14TH day of JANUARY, 2005, at Santa Maria, California.


CARRIE L. WAGNER