

1 **GERAGOS & GERAGOS**
2 Mark J. Geragos, State Bar Number 108325
3 350 South Grand Avenue
4 39th Floor
5 Los Angeles, California 90071
6 Telephone: (213)625-3900
7 Facsimile: (213) 625-1600

8 **KMZ Rosenman**
9 Katten Muchin Zavis Rosenman
10 Steve Cochran, State Bar Number 105541
11 2029 Century Park East
12 Suite 2600
13 Los Angeles, California 90067-3012
14 Telephone: (310) 788-4455
15 Facsimile: (310) 712-8455

16 **SANGER & SWYSEN**
17 Attorneys at Law
18 Robert M. Sanger, State Bar Number 58214
19 233 East Carrillo Street, Suite C
20 Santa Barbara, California 93101
21 Telephone: (805) 962-4887
22 Facsimile: (805) 963-7311
23 Attorneys for Defendant, Michael Jackson

FILED
SANTA BARBARA
SUPERIOR COURT

JAN 15 2004

GARY M. BLAIR
Executive Officer
By: *Lorna Frey*
LORNA FREY Deputy Clerk

16 IN THE SUPERIOR COURT FOR THE STATE OF CALIFORNIA
17 IN AND FOR THE COUNTY OF SANTA BARBARA
18 COOK DIVISION

19 THE STATE OF CALIFORNIA,) Case Number 1133603
20 Plaintiff,)
21 vs.) NOTICE OF APPLICATION AND
22 MICHAEL JACKSON,) APPLICATION BY BENJAMIN BRAFMAN
23 Defendant.) TO APPEAR AS COUNSEL PRO HAC VICE
24) ON BEHALF OF MICHAEL JACKSON
25) (CAL. RULES OF COURT, RULE 983.)
26) Date: February 13, 2004
27) Time: 8:30 a.m.
28) Dept.: 2
The Honorable Rodney S. Melville, Presiding

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NOTICE OF APPLICATION AND APPLICATION OF BENJAMIN BRAFMAN
TO APPEAR AS COUNSEL PRO HAC VICE FOR MICHAEL JACKSON

1 TO THE STATE BAR OF CALIFORNIA AT SAN FRANCISCO, TO ALL PARTIES
2 OF RECORD AND THEIR COUNSEL, AND TO THE CLERK OF THE ABOVE-ENTITLED
3 COURT:

4 PLEASE TAKE NOTICE that Benjamin Brafman hereby applies to the Court and will
5 apply to the Court on February 13, 2004,, at 8:30 a.m., or as soon thereafter as the matter may
6 be heard in the above-entitled court, to appear as counsel pro hac vice for Michael Jackson in
7 accordance with Rule 983 of the California Rules of Court.

8 The application will be based on this Notice of Application, the Application served and
9 filed herewith, on all pleadings and documents as hereafter may be filed with the court, and on
10 such oral argument as may be presented at the hearing on the application.

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12 Dated: January 15, 2004

Respectfully Submitted,

SANGER & SWYSEN

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15 By: 

16 Robert M. Sanger
Attorneys for Michael Jackson
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1 **APPLICATION FOR LEAVE TO APPEAR AS COUNSEL PRO HAC VICE**

2 I, Benjamin Brafman, declare:

3 I have been retained by Michael Jackson to appear on his behalf in the above-entitled action.
4 I hereby apply to appear as counsel pro hac vice in this Court on behalf of Michael Jackson,
5 pursuant to Rule 983 of the California Rules of Court.

6 I am not a resident of California. My residence address is 15 Waverly Place, Lawrence, New
7 York 11559. My office address is 26th Floor, 767 Third Avenue, New York, New York 10017.

8 I have been admitted to practice in the following courts: 1975, New York, U.S. District
9 Court, Southern and Eastern Districts of New York and U.S. Court of Appeals, Second Circuit;
10 1978, U.S. Supreme Court.

11 I am a member in good standing in each of these courts. I am not currently suspended or
12 disbarred in any court.

13 During the last two years, I have not applied to appear as counsel pro hac vice in this state.

14 I am not regularly employed in the State of California, and I do not regularly engage in
15 substantial business, professional, or other activities in the State of California.

16 Robert M. Sanger, whose address is 233 East Carillo Street, Suite C, Santa Barbara, CA
17 93101, and whose telephone number is (805) 962-4887, and who is an active member of the State
18 Bar of California, is one of the attorneys of record for Michael Jackson in the above-entitled
19 action.

20 I declare under penalty of perjury under the laws of the state of California that the forgoing
21 is true and correct. Signed and dated this 15th day of January 2004, at Santa Barbara, California.

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24 
Benjamin Brafman

PROOF OF SERVICE

I, the undersigned declare:

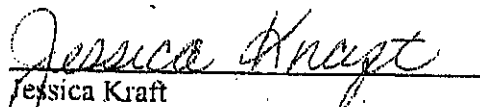
I am over the age of 18 years and not a party to the within action. I am employed in the County of Santa Barbara. My business address is 233 East Carrillo Street, Suite C, Santa Barbara, California, 93101.

On January 15, 2004, I served the foregoing document: NOTICE OF APPLICATION AND APPLICATION BY BENJAMIN BRAFMAN TO APPEAR AS COUNSEL PRO HAC VICE ON BEHALF OF MICHAEL JACKSON AND [PROPOSED] ORDER on the interested parties in this action by depositing a true copy thereof as follows:

The State Bar of California
180 Howard Street
San Francisco, CA 94105

- BY U.S. MAIL** - I am readily familiar with the firm's practice for collection of mail and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited daily with the United States Postal Service in a sealed envelope with postage thereon fully prepaid and deposited during the ordinary course of business. Service made pursuant to this paragraph, upon motion of a party, shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit.
- BY FACSIMILE** - I caused the above-referenced document(s) to be transmitted via facsimile to the interested parties at .
- BY HAND** - I caused the document to be hand delivered to the interested parties in open court.
- STATE** - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- FEDERAL** - I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

Executed January 15, 2004, at Santa Barbara, California.



Jessica Kraft

PROOF OF SERVICE

I, the undersigned declare:

I am over the age of 18 years and not a party to the within action. I am employed in the County of Santa Barbara. My business address is 233 East Carrillo Street, Suite C, Santa Barbara, California, 93101.

On January 15, 2004, I served the foregoing document: NOTICE OF APPLICATION AND APPLICATION BY BENJAMIN BRAFMAN TO APPEAR AS COUNSEL PRO HAC VICE ON BEHALF OF MICHAEL JACKSON AND [PROPOSED] ORDER on the interested parties in this action by depositing a true copy thereof as follows:

Thomas Sneddon
Office of the District Attorney
1105 Santa Barbara Street
Santa Barbara, CA 93101

- BY U.S. MAIL** - I am readily familiar with the firm's practice for collection of mail and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited daily with the United States Postal Service in a sealed envelope with postage thereon fully prepaid and deposited during the ordinary course of business. Service made pursuant to this paragraph, upon motion of a party, shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit.
- BY FACSIMILE** - I caused the above-referenced document(s) to be transmitted via facsimile to the interested parties at
- BY HAND** - I caused the document to be hand delivered to the interested parties at the address above.
- STATE** - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- FEDERAL** - I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

Executed January 15, 2004, at Santa Barbara, California



Jasen Nielsen