

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

JAN 31 2005

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

1 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY
County of Santa Barbara
2 By: RONALD J. ZONEN (State Bar No. 85094)
Senior Deputy District Attorney
3 J. GORDON AUCHINCLOSS (State Bar No. 150251)
Senior Deputy District Attorney
4 GERALD McC. FRANKLIN (State Bar No. 40171)
Senior Deputy District Attorney
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7 FAX: (805) 568-2398

*X unsealed pursuant
to 1/11/05 Court
order*

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SANTA BARBARA
10 SANTA MARIA DIVISION

05 JAN 31 PM 7:27

11
12 THE PEOPLE OF THE STATE OF CALIFORNIA,
13
14 v.
15 MICHAEL JOE JACKSON,

Plaintiff,

Defendant.

No. 1133603
PLAINTIFF'S MOTION TO
LIMIT ANY REFERENCE BY
DEFENSE COUNSEL TO JANE
DOE'S USE OF (OR FAILURE TO
USE) "PSYCHIATRIC
MEDICATION"
DATE: February 10, 2005
TIME: 9:30 a.m.
DEPT: TBA (Melville)

UNDER SEAL

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20 TO: THE CLERK OF THE SUPERIOR COURT AND TO DEFENDANT AND HIS
21 COUNSEL:

22 PLEASE TAKE NOTICE that on February 10, 2005, Plaintiff will move the court
23 for its order limiting counsel in their references to "Janet Arvizo's medication."

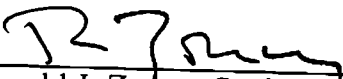
24 The motion will be based on this notice and the accompanying Memorandum of
25 Points and Authorities.

26 ////
27 ////
28 ////

1 DATED: January 31, 2005

2 Respectfully submitted,

3 THOMAS W. SNEDDON, JR.
4 District Attorney

5 By: 
6 Ronald J. Zonen, Senior Deputy

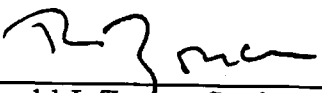
7 Attorneys for Plaintiff
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1 It would be improper to use her denial that she was taking mind-altering medication
2 during the events in question as the basis for questions why she was not taking drugs, the
3 assumed premise for which is that she was clearly "schizophrenic" at the time.

4 As we have separately argued in our Motion to Limit Introduction of Evidence of
5 Prior Litigation, the schizophrenic diagnosis came from a psychiatrist retained by JCPenney.
6 That diagnosis is inconsistent with his report, which contains only a diagnosis of "depression"
7 and nothing else.

8 DATED: January 31, 2005

9 THOMAS W. SNEDDON, JR.
10 District Attorney

11 By: 
12 Ronald J. Zoxen, Senior Deputy
13 Attorneys for Plaintiff

1 **PROOF OF SERVICE**

2
3 STATE OF CALIFORNIA
4 COUNTY OF SANTA BARBARA } SS
5

6 I am a citizen of the United States and a resident of the County aforesaid; I am over
7 the age of eighteen years and I am not a party to the within-entitled action. My business
8 address is: District Attorney's Office; Courthouse; 1112 Santa Barbara Street, Santa Barbara,
9 California 93101.

10 On January 31, 2005, I served the within PLAINTIFF'S MOTION TO EXCLUDE
11 ANY REFERENCE BY DEFENSE COUNSEL TO JANE DOE'S USE OF (OR FAILURE
12 TO USE) "PSYCHIATRIC MEDICATION" on Defendant, by THOMAS A. MESEREAU,
13 JR., ROBERT SANGER and BRIAN OXMAN, by personally delivering a true copy thereof to
14 the attorney representing Defendant in the jury selection proceedings in court.

15 I declare under penalty of perjury that the foregoing is true and correct.

16 Executed at Santa Maria, California on this 31st day of January, 2005.

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SERVICE LIST

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Co-counsel for Defendant

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