

1 **COLLINS, MESEREAU, REDDOCK & YU**  
2 Thomas A. Mesereau, Jr., State Bar Number 091182  
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7 **SANGER & SWYSEN**  
8 Attorneys at Law  
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10 233 East Carrillo Street, Suite C  
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12 Tel.: (805) 962-4887, Fax: (805) 963-7311

13 **OXMAN & JAROSCAK**  
14 Brian Oxman, State Bar No. 072172  
15 14126 East Rosecrans  
16 Santa Fe Springs, CA 90670  
17 Tel.: (562) 921-5058, Fax: (562) 921-2298

18 Attorneys for Defendant  
19 **MICHAEL JOSEPH JACKSON**

**FILED**  
SUPERIOR COURT of CALIFORNIA  
COUNTY of SANTA BARBARA

FEB 19 2005

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

\* Unsealed pursuant  
to 6/16/05 court  
order

**FILED UNDER SEAL**  
*Carrie L Wagner*

20 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
21 FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION

22 THE PEOPLE OF THE STATE OF  
23 CALIFORNIA,

24 Plaintiffs,

25 vs.

26 MICHAEL JOSEPH JACKSON,

27 Defendant.

Case No. 1133603

DECLARATION OF BRIAN OXMAN  
REQUESTING SIGNATURE OF ORDER  
MODIFYING SUBPOENA TO THE BANK OF  
THE WEST AND THE VENTURAS

Honorable Rodney S. Melville

Date: None

Time: ~~February 18, 2005~~

Dept: SM-2

DECLARATION OF BRIAN OXMAN

I, R. Brian Oxman, declare:

1. I am an attorney at law admitted into practice before all of the courts of the State of California, and I am an attorney of record for the defendant, Michael Jackson. I submit this declaration in support of my request for the court's signature on the Order on Motion to Quash Ventura and Bank of the West Subpoenas.

2. On January 14, 2005, this court heard in camera arguments on David and Maria Ventura's Motion to Quash Subpoena Duces Tecum to David Ventura, Maria Ventura, and Bank of the West. The court modified the Subpoenas Duces Tecum to David Ventura, Maria, Ventura, and the Bank of the West, and ordered production of documents to the court for review. The court ordered counsel for Mr. Jackson to prepare a written Order.

3. On January 24, 2005, I prepared an Order on Motion to Quash Ventura and Bank of the West Subpoenas and telefaxed it to counsel for the Venturas, Theodore Maya, for review and signature. I served the document on counsel, along with a letter requesting signature of approval for the order. A copy of the letter and proposed Order are attached as Exhibit "A."

4. Later on January 24, 2005, I spoke with Julian Brew, counsel for the Venturas, who requested changes to the Order. I changed the Order as we had discussed and faxed it to Mr. Brew on January 24, 2005, along with a request that he sign the Order and fax it back for filing with the court. A copy of my January 24, 2005, telefax and revised Order are attached as Exhibit "B."

5. To date, I have received no further correspondence from counsel for the Venturas nor have I received the Order back approved as to form and content. In addition, this Court has not received any documents from opposing counsel for the Venturas nor from Bank of the West submitting any complaint or objection to the proposed Order. Neither the Bank of the West nor the Venturas have submitted

1 documents in compliance with the Court's oral Order of January 14, 2005, and it is  
2 necessary for the court to issue the Order that accompanies this declaration in order  
3 that I may require compliance with the subpoena.

4 6. I request that the court sign the Order as submitted to opposing counsel, a  
5 copy of which accompanies this Declaration. The proposed Order complies with the  
6 Court's oral Order of January 14, 2005, and is essential to any further proceedings to  
7 compel the Venturas and the Bank of the West to comply with the Subpoenas Duces  
8 Tecum as ordered by the court on January 14, 2005. The documents requested in the  
9 subpoenas are important to Mr. Jackson's defense. Mr. Jackson has been impaired by  
10 counsel's failure to approve the Order as presented and failure to produce the  
11 documents as ordered.

12 I declare under penalty of perjury under the laws of the State of California the  
13 foregoing is true and correct.

14 Executed this 18th day of February, 2005, at Santa Maria, California.

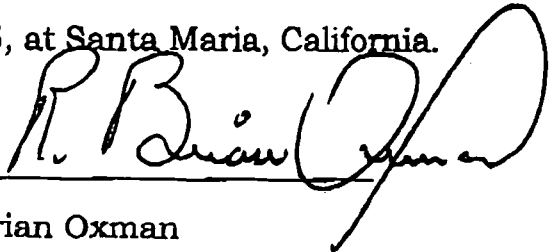
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16 \_\_\_\_\_  
17 R. Brian Oxman

Exhibit “A”



1 **COLLINS, MESEREAU, REDDOCK & YU**  
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11 Attorneys for Defendant  
MICHAEL JOSEPH JACKSON  
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13 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
14 FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION  
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16 THE PEOPLE OF THE STATE OF  
17 CALIFORNIA,

18 Plaintiffs,

19 vs.

20 MICHAEL JOSEPH JACKSON,

21 Defendant.  
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Case No. 1133603

ORDER ON MOTION TO QUASH  
VENTURA AND BANK OF THE WEST  
SUBPOENAS

Honorable Rodney S. Melville

Date: January 14, 2005

Time: 8:30 am.

Dept: SM 2

FILED UNDER SEAL AND IN CAMERA

25  
26 The Motion of Objectors, David and Maria Ventura, to Subpoenas Duces Tecum issued to David  
27 Ventura, Maria Ventura, and Bank of the West came on regularly for a hearing on January 14, 2005, in  
28 Department SM-2 of the above-entitled court, In Camera and in Chambers, the Honorable Rodney S.

1 Melville, Judge Presiding. Julian Brew and Larry Feldman appeared for Objectors, David and Maria  
2 Ventura. Robert Sanger and Brian Oxman appeared for Michael Jackson. The Court having read the  
3 papers submitted by the parties and considered the oral argument of their counsel, hereby enters the  
4 following Order:

5 IT IS ORDERED:

6 (1) The Subpoena Duces Tecum dated December 22, 2004, to Bank of the West be and hereby is  
7 modified to as to David Ventura and Maria Ventura to require the Bank to produce all records in any  
8 account belonging to David Ventura or Maria Ventura as described in the subpoena as it relates to deposits,  
9 disbursements, and checks from third parties other than the Venturas' regular employer. The Bank shall  
10 produce all documents contained in such accounts to the Court for In Camera review so that the Court may  
11 determine who would qualify as third parties and whether receipts or disbursements from the account are  
12 relevant and material to the issues in the case.

13 (2) In all other respects to persons other than David Ventura and Maria Ventura, there having been  
14 no objection lodged concerning the subpoena, the Bank of the West shall comply to the Subpoena for  
15 production of such records to the Court.

16 (3) The Subpoena Duces Tecum dated December 22, 2004 to Maria Ventura and the Subpoena  
17 Duces Tecum dated December 22, 2004, issued to David Ventura, be and hereby are modified to require  
18 production of all materials, documents, and financial records relating to fund raising activities, including  
19 the collection, holding, and disbursement of money on behalf or for the benefit of Janet Arvizo, Davellin  
20 Arvizo, Gavin Arvizo, and Star Arvizo, and all documents pertaining to any payments, gifts, money, or  
21 property given or transferred to Janet Arvizo, Davellin Arvizo, Gavin Arvizo, and Star Arvizo, or persons  
22 acting on their behalf.

23  
24 DATED: \_\_\_\_\_

25 \_\_\_\_\_  
26 Judge Rodney S. Melville  
27 Santa Barbara Superior Court  
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1 APPROVED AS TO FORM AND CONTENT:

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DATED: \_\_\_\_\_

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Theodore Maya  
Attorney for David and Maria Ventura

DATED: \_\_\_\_\_

\_\_\_\_\_  
R. Brian Oxman  
Attorney for Mr. Michael Jackson



Exhibit "B"



1 **COLLINS, MESEREAU, REDDOCK & YU**  
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11 Attorneys for Defendant  
MICHAEL JOSEPH JACKSON  
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14 **FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION**  
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16 **THE PEOPLE OF THE STATE OF**  
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19 vs.

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Case No. 1133603

**ORDER ON MOTION TO QUASH  
VENTURA AND BANK OF THE WEST  
SUBPOENAS**

Honorable Rodney S. Melville

Date: January 14, 2005

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7 modified to as to David Ventura and Maria Ventura to require the Bank to produce all records in any  
8 account belonging to David Ventura or Maria Ventura as described in the subpoena as it relates to deposits,  
9 disbursements, and checks to or for the benefit of Janet Arvizo, aka Janet Ventura and Janet Jackson,  
10 Davellin Arvizo, Gavin Arvizo, Star Arvizo, and Jay Daniel Jackson, from third parties other than the  
11 Venturas' regular employer. The Bank shall produce all documents contained in such accounts to the Court  
12 for In Camera review so that the Court may determine who would qualify as third parties and whether  
13 receipts or disbursements from the account are relevant and material to the issues in the case.

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16 production of such records to the Court.

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18 Duces Tecum dated December 22, 2004, issued to David Ventura, be and hereby are modified to require  
19 production of all materials, documents, and financial records relating to fund raising activities, including  
20 the collection, holding, and disbursement of money on behalf or for the benefit of Janet Arvizo, Davellin  
21 Arvizo, Gavin Arvizo, Star Arvizo, or Jay Jackson.

22  
23 DATED: \_\_\_\_\_

24 \_\_\_\_\_  
25 Judge Rodney S. Melville  
26 Santa Barbara Superior Court

27 APPROVED AS TO FORM AND CONTENT:  
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DATED:

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**Julian Brew**  
Attorney for David and Maria Ventura

DATED:

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**R. Brian Oxman**  
Attorney for Mr. Michael Jackson