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14 Attorneys for Defendant
MICHAEL JOSEPH JACKSON

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA
17 FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION

19 THE PEOPLE OF THE STATE OF
CALIFORNIA,

20 Plaintiffs,

21 vs.

23 MICHAEL JOSEPH JACKSON,

24 Defendant.

) Case No. 1133603

) ~~PROPOSED~~ ORDER DIRECTING THAT
) MATERIALS SEIZED FROM SEARCH
) WARRANT NUMBER 5135 BE SEALED
) AND THAT THE PROVISIONS OF PENAL
) CODE SECTION 1524(C) BE
) IMPLEMENTED

) Honorable Rodney S. Mcville

) Date: September 17, 2004
) Time: 1:00 pm
) Dept: SM 8

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

SEP 28 2004

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

1 **GOOD CAUSE APPEARING**, it is hereby ordered that materials pursuant to Search
2 Warrant Number 5135 be sealed and that the provisions of Penal Code Section 1524(c)
3 be implemented to determine if the seized items are protected by the attorney-client
4 privilege and to fashion appropriate remedies.

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DATED: _____

Rodney S. Merrill

Judge of the Superior Court
RODNEY S. MERRILL

ORDER DIRECTING THAT MATERIALS SEIZED FROM SEARCH WARRANT NUMBER 5135 BE SEALED
AND THAT THE PROVISIONS OF PENAL CODE SECTION 1524(C) BE IMPLEMENTED
2

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 September 16, 2004, I served the foregoing document EMERGENCY APPLICATION FOR AN ORDER DIRECTING THAT MATERIALS SEIZED FROM SEARCH WARRANT NUMBER 5135 BE SEALED AND THAT THE PROVISIONS OF PENAL CODE SECTION 1524(C) BE IMPLEMENTED and the [PROPOSED] REDACTED VERSION on the interested parties in this action by depositing a true copy thereof as follows:

Tom Sneddon
Gerald Franklin
Ron Zonen
Gordon Auchincloss
District Attorney
1105 Santa Barbara Street
Santa Barbara, CA 93101
568-2398

- 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 568-2398.
- 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.

Executed September 16, 2004, at Santa Barbara, California


Bobette J. Tryon

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 SEPTEMBER 28, 20 04, I served a copy of the attached ORDER DIRECTING THAT MATERIALS SEIZED FROM SEARCH WARRANT NUMBER 5135 BE SEALED AND THAT THE PROVISIONS OF PENAL CODE SECTION 1524© BE IMPLEMENTED addressed as follows:

THOMAS W. SNEDDON, DISTRICT ATTORNEY
DISTRICT ATTORNEY'S OFFICE
1105 SANTA BARBARA STREET
SANTA BARBARA, CA 93101

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

X FAX

By faxing true copies thereof to the receiving fax numbers of: 805-568-2398 (DISTRICT ATTORNEY): 310-861-1007 (THOMAS A. MESEREAU, JR) . Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(i), 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 their clerk therein or the person having charge thereof.

 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 28TH day of SEPTEMBER, 20 04, at Santa Maria, California.


CARRIE L. WAGNER