

1 **COLLINS, MESEREAU, REDDOCK & YU**
2 Thomas A. Mesereau, Jr., State Bar Number 091182
3 Susan C. Yu, State Bar Number 195640
4 1875 Century Park East, 7th Floor
5 Los Angeles, CA 90067
6 Tel.: (310) 284-3120, Fax: (310) 284-3133

7 **SANGER & SWYSEN**
8 Attorneys at Law
9 Robert M. Sanger, State Bar No. 058214
10 233 East Carrillo Street, Suite C
11 Santa Barbara, CA 93101
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**

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.

REDACTED VERSION

Case No. 1133603

RESPONSE TO THE COURT'S INQUIRY
REGARDING COMPUTER EXPERT

Honorable Rodney S. Melville

Date: November 19, 2004

Time: 8:30 am

Dept: ~~SMC~~

28 Defendant, Michael Jackson, by his counsel, responds to the Court's inquiry regarding a computer expert as follows:

RESPONSE TO THE COURT'S INQUIRY REGARDING COMPUTER EXPERT

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

NOV 19 2004

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

1 1. Mr. Jackson would respectfully object to the appointment of [REDACTED] based on the
2 fact that [REDACTED] is an active operative of law enforcement and is not the type of neutral expert
3 required for the assignment as follows:

4 a. [REDACTED] is actively employed by the [REDACTED] and offers to do
5 the work only under the supervision of [REDACTED] of that [REDACTED]

6 b. [REDACTED] is a sex crimes investigator indicating that he does investigations of crimes
7 involving children as victims where computers are used to perpetrate the crime (based on an
8 interview of [REDACTED] on June 16, 2004 by the [REDACTED] at
9 [REDACTED]

10 c. [REDACTED] is seeking compensation for the [REDACTED] office for the time and
11 expenses of [REDACTED] although he said then said he would keep it open.

12 2. The defense would respectfully suggest that the court inquire of the following individuals
13 who are certified En-Case experts:

- 14 [REDACTED]
- 15 [REDACTED]
- 16 [REDACTED]
- 17 [REDACTED]
- 18 [REDACTED]
- 19 [REDACTED]
- 20 [REDACTED]
- 21 [REDACTED]
- 22 [REDACTED]
- 23 [REDACTED]
- 24 [REDACTED]

25 //
26 //
27 //

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 3. The defense would further suggest that the cost of the expert chosen be paid by the
8 prosecution or that the Court appoint the expert to assist the Court pursuant to Evidence Code
9 Section 730 subject to appropriate compensation under Section 731. A computer/En-Case expert
10 is, in fact, an expert who will be assisting the Court specifically within the meaning of Section
11 730.

12 4. The defense, through a law clerk, has contacted the above experts to determine their
13 availability but has not disclosed any information about the case itself. We would agree that the
14 Court Research Attorney be permitted to contact each of these individuals or any others he might
15 become aware of for the purpose of determining if they would accept the assignment and we
16 would offer to (and do hereby) stipulate to such a procedure.

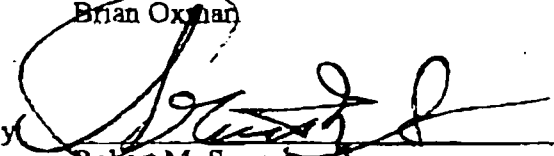
17 Dated: November 18, 2004

Respectfully submitted,

18 COLLINS, MESEREAU, REDDOCK & YU
19 Thomas A. Mesereau, Jr.
Susan C. Yu

20 SANGER & SWYSEN
Robert M. Sanger

21 OXMAN & JAROSCAK
22 Brian Oxman

23
24 By 
25 Robert M. Sanger
26 Attorneys for Defendant
27 MICHAEL JOSEPH JACKSON
28

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 November 19, 2004, I served the foregoing document **EX PARTE APPLICATION FOR ORDER THAT RESPONSE TO JUDGE'S INQUIRY BE SEALED; RESPONSE TO COURT'S INQUIRY REGARDING COMPUTER EXPERT and REDACTED VERSION** on the interested parties in this action by depositing a true copy thereof as follows:

Tom Sneddon
District Attorney
1105 Santa Barbara Street
Santa Barbara, CA 93101
805-568-2398

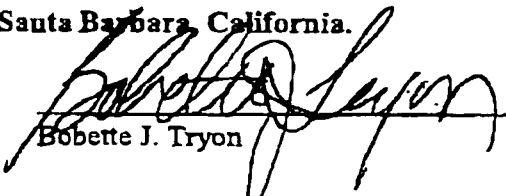
BY U.S. MAIL - I am readily familiar with the firm's practice for collection of mail and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited daily with the United States Postal Service in a sealed envelope with postage thereon fully prepaid 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

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 November 19, 2004 at Santa Barbara, California.


Bobette J. Tryon