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

JAN 18 2005

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

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

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12  
13 THE PEOPLE OF THE STATE OF CALIFORNIA,

14 Plaintiff,

15 v.

16 MICHAEL JOE JACKSON,

17 Defendant.  
18  
19

No. 1133603

~~PROPOSED~~ REDACTED  
PLAINTIFF'S MOTION IN  
LIMINE FOR ADMISSION  
OF EXPERT TESTIMONY  
ON DEFENDANT'S  
FINANCES

DATE: January 28, 2005

TIME: 9:30 AM

DEPT.: SM2 (Melville)

20  
21 **INTRODUCTION**

22 The Evidence Code authorizes the use of expert opinion testimony where it is  
23 "[r]elated to a subject that is sufficiently beyond common experience that the opinion of an  
24 expert would assist the trier of fact . . ." (Evid. Code, § 801(a).)

25 According to Evidence Code section 720(a), "A person is qualified to testify as an  
26 expert if he has special knowledge, skill, experience, training or education sufficient to qualify  
27 him as an expert on the subject to which his testimony relates." Moreover, the qualification of  
28

1 an expert witness is ordinarily a matter addressed to the sound discretion of the trial court.  
2 (*People v. Axell* (1991) 235 Cal.App.3d 836, 859; *Evans v. Ohanesian* (1974) 39 Cal.App.3d  
3 121, 127.) A reviewing court must give considerable latitude to the lower court in determining  
4 qualifications of an expert, and the lower court's ruling will not be disturbed on appeal unless a  
5 manifest abuse of discretion is shown. (*People v. Kelly* (1976) 17 Cal.3d 24, 39; *People v.*  
6 *Page* (1991) 2 Cal.App.4th 161, 187.)

7 On the issue of motive, the People will introduce [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]

12 I.

13 **EXPERT TESTIMONY FROM A FORENSIC ACCOUNTANT**

14 [REDACTED] IS APPROPRIATE AND  
15 NECESSARY TO GIVE THE JURY INSIGHT INTO DEFENDANT'S MOTIVE TO  
16 COMMIT THE CHARGED OFFENSE IN COUNT I OF THE INDICTMENT  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27 [REDACTED]  
28 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 **II.**

6 **EXPERT TESTIMONY FROM A ENTERTAINMENT EXPERT SHOWING**

7 [REDACTED] **” IS APPROPRIATE AND NECESSARY TO GIVE THE JURY**  
8 **INSIGHT INTO DEFENDANT’S MOTIVE TO COMMIT THE CHARGED OFFENSE**  
9 **IN COUNT I OF THE INDICTMENT**

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23  
24 **CONCLUSION**

25 It is anticipated that the direct testimony of these expert witnesses will require less  
26 than one hour each. The People respectfully request that this highly relevant and necessary  
27 expert testimony be admitted to help the jury understand [REDACTED]


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[Redacted]

[Redacted]

DATED: January 18, 2005

THOMAS W. SNEDDON, JR.  
District Attorney

By:   
Gordon Auchincloss, Senior Deputy  
Attorneys for Plaintiff

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PROOF OF SERVICE

STATE OF CALIFORNIA }  
COUNTY OF SANTA BARBARA } SS

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and I am not a party to the within-entitled action. My business address is: District Attorney's Office; Courthouse; 1105 Santa Barbara Street, Santa Barbara, California 93101.

On January 18, 2005, I served the within PLAINTIFF'S MOTION IN LIMINE FOR ADMISSION OF EXPERT TESTIMONY ON DEFENDANT'S FINANCES; on Defendant, by THOMAS A. MESEREAU, JR., ROBERT SANGER, BRIAN OXMAN and GIBSON, DUNN & CRUTCHER, LLP, by faxing a true copy to counsel at the facsimile number shown with the address of each on the attached Service List, and then by causing to be mailed a true copy to each counsel at that address.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed at Santa Barbara, California on this 18th day of January, 2005.

  
Cris Linz

SERVICE LIST

5



**SERVICE LIST**

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