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11 Attorneys for Defendant  
12 **MICHAEL JOSEPH JACKSON**

**FILED**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA

JAN 19 2005

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

**DENIED**

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION

15 THE PEOPLE OF THE STATE OF  
16 CALIFORNIA,

17 Plaintiffs,

18 vs.

19 MICHAEL JOSEPH JACKSON,

20 Defendant.

Case No. 1133603

21 ~~PROPOSED~~ ORDER THAT MOTION  
22 FOR AN ORDER THAT THE DISTRICT  
23 ATTORNEY NOT BE ALLOWED TO  
24 TELL THE JURY THAT HE  
25 REPRESENTS "THE PEOPLE" IN A  
26 MANNER THAT IMPLIES THAT HE  
27 REPRESENTS THE JURY AGAINST  
28 THE DEFENDANT, AND THAT THE  
DOE FAMILY BE REFERRED TO BY  
THEIR NAMES, AND AS THE  
"COMPLAINING WITNESSES," AND  
NOT THE "VICTIMS" AND  
ACCOMPANYING DOCUMENTS BE  
FILED UNDER SEAL

Honorable Rodney S. Melville

Date: January 28, 2005

Time: 9:30 am

Dept: SM 8

ORDER THAT MOTION FOR AN ORDER THAT THE DISTRICT ATTORNEY NOT BE ALLOWED TO  
TELL THE JURY THAT HE REPRESENTS "THE PEOPLE" IN A MANNER THAT IMPLIES THAT HE  
REPRESENTS THE JURY AGAINST THE DEFENDANT, AND THAT THE DOE FAMILY BE REFERRED  
TO BY THEIR NAMES, AND AS THE "COMPLAINING WITNESSES," AND NOT THE "VICTIMS" AND  
ACCOMPANYING DOCUMENTS BE FILED UNDER SEAL

1 **GOOD CAUSE APPEARING**, it is hereby ordered that the MOTION FOR AN  
2 ORDER THAT THE DISTRICT ATTORNEY NOT BE ALLOWED TO TELL THE  
3 JURY THAT HE REPRESENTS "THE PEOPLE" IN A MANNER THAT IMPLIES  
4 THAT HE REPRESENTS THE JURY AGAINST THE DEFENDANT, AND THAT  
5 THE DOE FAMILY BE REFERRED TO BY THEIR NAMES, AND AS THE  
6 "COMPLAINING WITNESSES," AND NOT THE "VICTIMS" and accompanying  
7 documents, be filed under seal.

**DENIED**

8  
9 DATED: JAN 19 2005

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11 \_\_\_\_\_  
12 Judge of the Superior Court  
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27 ORDER THAT MOTION FOR AN ORDER THAT THE DISTRICT ATTORNEY NOT BE ALLOWED TO  
28 TELL THE JURY THAT HE REPRESENTS "THE PEOPLE" IN A MANNER THAT IMPLIES THAT HE  
REPRESENTS THE JURY AGAINST THE DEFENDANT, AND THAT THE DOE FAMILY BE REFERRED  
TO BY THEIR NAMES, AND AS THE "COMPLAINING WITNESSES," AND NOT THE "VICTIMS" AND  
ACCOMPANYING DOCUMENTS BE FILED UNDER SEAL

## 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 January 14, 2005, I served the foregoing documents on the interested parties in this action by depositing a true copy thereof as follows: EX PARTE APPLICATION THAT MOTION FOR AN ORDER THAT THE DISTRICT ATTORNEY NOT BE ALLOWED TO TELL THE JURY THAT HE REPRESENTS "THE PEOPLE" IN A MANNER THAT IMPLIES THAT HE REPRESENTS THE JURY AGAINST THE DEFENDANT, AND THAT THE DOE FAMILY BE REFERRED TO BY THEIR NAMES, AND AS THE "COMPLAINING WITNESSES," AND NOT THE "VICTIMS" BE FILED UNDER SEAL on the following:

Tom Sneddon  
Gerald Franklin  
Ron Zonen  
Gordon Auchincloss  
District Attorney  
1112 Santa Barbara Street  
Santa Barbara, CA 93101  
805-568-2398

Gibson, Dunn & Crutcher LLP  
Theodore J. Boutros Jr.  
William E. Thomson  
Michael H. Dore  
333 South Grand Avenue  
Los Angeles, CA 91171  
Fax - 213-229-7520

**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

**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 January 14, 2005, at Santa Barbara, California.

  
Carol Dowling

## 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 JANUARY 19, 2005, I served a copy of the attached ORDER THAT MOTION FOR AN ORDER THAT THE DISTRICT ATTORNEY NOT BE ALLOWED TO TELL THE JURY THAT HE REPRESENTS "THE PEOPLE" IN A MANNER THAT IMPLIES THAT HE REPRESENTS THE JURY AGAINST THE DEFENDANT, AND THAT THE DOE FAMILY BE REFERRED TO BY THEIR NAMES, AND AS THE "COMPLAINING WITNESSES", AND NOT THE "VICTIMS" AND ACCOMPANYING DOCUMENTS BE FILED UNDER SEAL addressed as follows:

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

THOMAS W. SNEDDON, JR.  
DISTRICT ATTORNEY'S OFFICE  
1112 SANTA BARBARA STREET  
SANTA BARBARA, CA 93101

FAX

By faxing true copies thereof to the receiving fax numbers of: (805) 456-0699 (Thomas Mesereau, Jr.); (805) 568-2398 (Thomas Sneddon). 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 the person having charge thereof or by hand delivery to the above mentioned parties.

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 19<sup>TH</sup> day of JANUARY, 2005, at Santa Maria, California.

  
CARRIE L. WAGNER



Time : Jan-19-2005 04:17pm  
 Tel line : 805-568-2219  
 Name : COUNTY OF SANTA BARBARA COURT

Confirmation Report - Memory Send

Job number : 163

Date : Jan-19 04:16pm

To : 9-18004644171

Document pages : 001

Start time : Jan-19 04:16pm

End time : Jan-19 04:17pm

Pages sent : 001

Status : OK

Job number : 163 \*\*\* SEND SUCCESSFUL \*\*\*

COUNTY OF SANTA BARBARA-SANTA BARBARA SUPERIOR COURT/OFFICE SUPPLY ORDER FORM

Order Number: 0119	Dept. No. 2805	Full Name of Department: Superior Court-Santa Barbara County
Emp-To-Suite: 01	Dept. Name: SANTA BARBARA 2ND FLOOR	Full Stpt. To Address & Room No.: 1300 ANACAPA STREET, 2ND FLOOR
Telephone: 568-2220	Order Date: 01-19-05	Contract Person (Print Name With Approx. 50 parking spp):
Order Filled: 01-19-05		FUND NO. PER ORDER FORM:



Control No. 218008  
 Vendor No. 548750  
 Fund No. 5900

Ass No. 7121  
 Division No. ANA  
 Project Code

Agency Code  
 Agency Code  
 Project Code

Corporate  
 Express

Customer Service  
 (888) 884-8767

FAX Order 1 (800) 464-4171

12	ET	AVE 00166			
1	PK	AVE 00154			
3	ET	M/M M 6801			
3	EA	M/M M 6802			
3	EA	M/M M 6803			
3	EA	M/M M 6808			
3	EA	M/M M 68021			
3	EA	M/M M 68025			
3	EA	DYM 30320			
3	EA	DYM 30323			
3	EA	DYM 30326			
1	EA	CEB 03301			

Total: \$