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11 MICHAEL JOE JACKSON

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

JAN 21 2005

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

** Unsealed pursuant
to 6/11/05 court
order*

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 FOR THE COUNTY OF SANTA BARBARA, SANTA MARIA DIVISION

14 THE PEOPLE OF THE STATE OF
15 CALIFORNIA,

16 Plaintiff,

17 vs.

18 MICHAEL JOE JACKSON

19 Defendant.

} CASE NO. 1133603

} **RESPONSE TO PROSECUTION'S MOTION
TO ADMIT EXPERT TESTIMONY RE MR.
JACKSON'S FINANCES**

} HEARING:

} DATE: JANUARY 28, 2005
} TIME: 9:30 A.M.
} Place: Dept. SM-2

FILED UNDER SEAL & BY FAX

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I.

3 ARGUMENT

4 Mr. Jackson objects to the Prosecution's untimely designation of an entertainment
5 industry financial expert. Having said that, Mr. Jackson does not oppose the admission of
6 the testimony of the Prosecution's forensic accountant, Duross O'Bryan, and an
7 entertainment industry financial expert (yet to be designated), so long as:

- 8 1. The Defense is timely provided with these experts' opinions and conclusions;
9 2. The Defense is furnished with all of the materials and documents upon which
10 these experts based their opinions and conclusions;
11 3. The Defense is afforded reasonable time (e.g., 2 weeks) to find its rebuttal
12 experts;
13 4. The Defense is given reasonable time (e.g., 3 weeks from the time the experts
14 are found) for its rebuttal experts to reach their opinions and conclusions.

15 Absent these conditions, the Motion should be denied.

16
17 DATED: January 21, 2005

Respectfully submitted,

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

22 Robert M. Sanger
23 SANGER & SWYSEN

24 Brian Oxman
25 OXMAN & JAROSCAK

26 By:


27 Susan C. Yu
28 Attorneys for Mr. MICHAEL J. JACKSON

1 PROOF OF SERVICE

2 I, the undersigned, declare:

3 I am a citizen of the United States of America, am over the age of eighteen (18)
4 years, and not a party to the within action. I am employed at 1875 Century Park East, 7th
Floor, Los Angeles, CA 90067. On January 21, 2005, I served the following document:

5 **RESPONSE TO PROSECUTION'S MOTION TO ADMIT EXPERT TESTIMONY RE MR.
6 JACKSON'S FINANCES**

7 on the interested parties addressed as follows:

8 Thomas Sneddon, Esq., District Attorney
9 Gerald Franklin, Esq.
10 Ronald Zonen, Esq.
11 Gordon Auchincloss, Esq.
12 District Attorney's Office
13 1105 Santa Barbara Street
14 Santa Barbara, CA 93108
15 FAX: (805) 568-2398

16 BY MAIL: I placed each envelope, containing the foregoing document, with postage
17 fully prepaid, in the United States mail at Los Angeles, California. I am readily familiar
18 with the business practice for collection and processing of mail in this office; that in the
19 ordinary course of business said document would be deposited with the US Postal Service
20 in Los Angeles on that same day.

21 X BY FACSIMILE: I served a copy of the within document on the above-interested
22 parties, by way of a facsimile, at the facsimile numbers listed above.

23 BY MESSENGER/ATTORNEY SERVICE: I caused _____ to personally serve the
24 within document on the above interested parties.

25 X (State) I declare under penalty of perjury under the laws of the State of California
26 that the foregoing is true and correct.

27 _____ (Federal) I declare that I am employed in the office of a member of the bar of this
28 court at whose direction the service was made.

Executed on January 21, 2005, at Los Angeles, California.

22 
23 _____
Susan C. Yu