

FEB 13 2004

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

1 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY
County of Santa Barbara
2 By: RONALD J. ZONEN (State Bar No. 85094)
Senior Deputy District Attorney
3 GERALD McC. FRANKLIN (State Bar No. 40171)
Senior Deputy District Attorney
4 1105 Santa Barbara Street
Santa Barbara, CA 93101
5 Telephone: (805) 568-2300
FAX: (805) 568-2398

6
7 Attorneys for Plaintiff

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

12
13 THE PEOPLE OF THE STATE OF CALIFORNIA,

14 Plaintiff,

15 v.

16 MICHAEL JOE JACKSON,

17 Defendant.

No. 1133603

PLAINTIFF'S AMENDED
PROPOSED "SAFE HARBOR"
ADDENDUM TO REQUESTED
PROTECTIVE ORDER

(Submitted on February 12, 2004)

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20 Plaintiff respectfully submits the following language as an amended proposed "safe
21 harbor" addendum to the Protective Order issued by the Court on January 16, 2004.

22 "Notwithstanding the above restrictions on statements by the Prosecutor and Defense
23 Counsel and those under their supervision or control, a statement by either the Prosecutor or
24 Defense Counsel, or by them jointly, may be made to address questions or issues that may have
25 been raised in the media concerning the case, the parties, their counsel, or witnesses in the
26 matter, under the following limited circumstances:

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1 "1. The premise of the question or issue is false or mistaken and, unless promptly
2 rebutted, poses a reasonable likelihood of prejudice that would make difficult the impaneling of
3 an impartial jury and would tend to prevent a fair trial;

4 "2. The response is limited to what is necessary to succinctly address and rebut the
5 factual premise of the question or issue, and shall be in writing;

6 "3. Counsel seeking to respond shall submit to the other side a proposed response to
7 the question or issue;

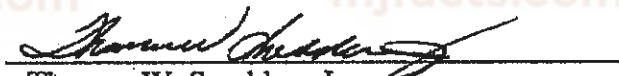
8 "4. If counsel agree on the wording of a response to the question or issue, that
9 response may be made public in the form of a written press release without an order of the
10 court, but a true copy of the press release shall be lodged with the court;

11 "5. If the non-proponent objects to the wording, or if the party does not believe that
12 a written statement in rebuttal is required, then the party must, within 24 hours, submit to the
13 Court the proposed response and any objections or suggested changes for the Court's
14 determination of the necessity of a rebuttal statement and the appropriate wording thereof."

15 DATED: February 12, 2004

16 Respectfully submitted,

17 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY
18 County of Santa Barbara

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20 Thomas W. Sneddon, Jr.

21 Attorney 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 February 12, 2004, I served the within PLAINTIFF'S AMENDED PROPOSED "SAFE HARBOR" ADDENDUM TO PROTECTIVE ORDER on Defendant, by MARK JOHN GERAGOS, his counsel in this action, and on associated counsel, by faxing a true copy to counsel at the facsimile number shown with the address of each on the attached Service List.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Santa Barbara, California on this 12th day of February, 2004.


Gerald McC. Franklin

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MARK JOHN GERAGOS, ESQ.
Geragos & Geragos, Lawyers
350 S. Grand Avenue, Suite 3900
Los Angeles, CA 90071-3480
FAX: (213) 625-1600
Attorney for Defendant Michael Jackson

ROBERT SANGER, ESQ.
Sanger & Swysen, Lawyers
233 E. Carrillo Street, Suite C
Santa Barbara, CA 93001
FAX: (805) 963-7311
Co-counsel for Defendant

STEVE COCHRAN, ESQ.
Katten, Muchin, Zavis & Rosenman, Lawyers
2029 Century Park East, Suite 2600
Los Angeles, CA 90067-3012
FAX: (310) 712-8455
Co-counsel for Defendant

BENJAMIN BRAFMAN, ESQ.
Brafman & Ross P.C.
767 Third Avenue, 26th Floor
New York City, NY 10017
FAX: (212) 750-3906
Co-Counsel for Defendant

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