

FILED

SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

MAR 09 2005

GARY M. BLAIR, Executive Officer

Carrie L Wagner
CARRIE L WAGNER, Deputy Clerk

1 LAW OFFICES OF PEASE & de PETRIS
Edgar B. Pease III, Esq. [SB #159919]
2 3055 Wilshire Boulevard, 12th Fl.
Los Angeles, CA 90010-1137
3 Tel: (213) 383-8084
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4 Attorney for Co-Defendants
5 HENRY VACCARO JR., VINTAGE POP,
ELMER KENDRICK, EL-RICH CORP,
6 HENRY VACCARO, DEEP END ENTERTAINMENT;
in Federal Civil Actions
7 Case Nos. CV 04-1946 MRP (Ex) and
CV-04-1987 FMC (Ex)

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SANTA BARBARA
12 COOK DIVISION/SANTA MARIA BRANCH

13 PEOPLE OF THE STATE OF CALIFORNIA,) Dept. 02
14) HON. RODNEY S. MELVILLE
Plaintiff,) Case No. 1133603
15)
16) ~~PROPOSED~~ ORDER ON
vs.) MOTION FOR ORDER
17) THAT OWNERS' MOTION
18) FOR RETURN OF PERSONAL TAKEN
BY DISTRICT ATTORNEY, TOM
19) SNEDDON, FOR USE IN CRIMINAL
MICHAEL JOE JACKSON,) CASE AGAINST MICHAEL JOS
20) JACKSON, PURSUANT TO C. PEN.
Defendant.) CODE §1417.2 et. seq. BE
21) MAINTAINED UNDER CONDITIONAL
22) SEAL; MEMORANDUM OF POINTS
AND AUTHORITIES; DECL. OF
EDGAR B. PEASE III, ESQ.

23 ORDER

24 It appearing from the declaration of Edgar B. Pease III,
25 Counsel for Movants herein, and the Memorandum of Points and
26 Authorities in support thereof, requesting an order from this
27 Court that the Motion, Oppositions and Replies to Owner's Motion

1 LAVELY & SINGER
2 BRIAN WOLF
3 EVAN SPEIGEL
4 2049 Century Park East
5 Los Angeles, CA 90067-2906
6 TEL: (310) 556-3501
7 FAX: (310) 556-3615

8 SUPERIOR COURT OF SANTA BARBARA
9 COUNTY OF SANTA BARBARA
10 SANTA MARIA CIVIL DIVISION
11 312 E. Cook Street
12 Santa Maria, CA 93454
13 ATTN: CARRIE WAGNER FOR JUDGE MELVILLE (BY FAX ONLY)
14 TEL: 805.346.7678 (Carrie)
15 TEL: 805.346.7414
16 FAX: 805.346.7591

17 (xx) (BY MAIL) I caused such envelope with postage thereon
18 fully prepaid to be placed in the United States Mail at Los
19 Angeles, California.

20 () (BY PERSONAL SERVICE) I caused such envelope to be deliv-
21 ered by hand to Law Offices of

22 (xx) (BY FACSIMILE AND MAIL) I caused such document to be
23 transmitted by facsimile to ONLY the attention of ALAN A.J.
24 LEGGETT at Jeffer Mangels Butler & Marmaro LLP, 1900 Avenue of
25 the Stars, Seventh Fl., Los Angeles, CA 90067, TEL: (310) 203-
26 8080, at facsimile number (310) 203-0567, and BRIAN WOLF, LAVELY
27 & SINGER, 2049 Century Park East, Los Angeles, CA 90067-2906,
28 TEL: (310) 556-3501, at facsimile number (310) 556-3615, received
the attached confirmation of sending, and placed in an envelope
with the postage thereon fully prepaid in the United States mail
at Los Angeles, California.

29 (X) (State) I declare that I am employed in the office of a
30 member of the bar of this court at whose direction the service
31 was made and under the laws of the state of California.

32 Executed on February 18, 2005, at Los Angeles, California.

33 
34 Edgar B. Pease III, Esq.

PROOF OF SERVICE
1013A(1)(3), 1013(c) CCP

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 March 9, 2005, 2005, I served a copy of the attached ORDER ON MOTION FOR ORDER THAT OWNERS' MOTION FOR RETURN OF PERSONAL TAKEN BY DISTRICT ATTORNEY, TOM SNEDDON, FOR USE IN CRIMINAL CASE AGAINST MICHAEL JOE JACKSON, PURSUANT TO C. PEN. CODE § 1417.2 ET. SEQ. BE MAINTAINED UNDER CONDITIONAL SEAL; MEMORANDUM OF POINTS AND AUTHORITIES; DECL. OF EDGAR B. PEASE III, ESQ. addressed as follows:

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

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

EDGAR PEASE, III, ESQ.
PEASE & de PETRIS
3055 WILSHIRE BLVD., 12TH FLOOR
LOS ANGELES, CA 90010-1137

FAX

By faxing true copies thereof to the receiving fax numbers of: (805) 456-0699 (Thomas Mesereau, Jr.); (805) 568-2398 (Thomas Sneddon); (213) 383-8089 (Edgar Pease). Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(1), 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 9TH day of MARCH, 2005, at Santa Maria, California.


CARRIE L. WAGNER

PROOF OF SERVICE

1 facts.com
2 STATE OF CALIFORNIA)
3) ss.
4 COUNTY OF LOS ANGELES)

5 I am employed in the County of Los Angeles, State of
6 California.
7 I am over the age of 18 and not a party to the within
8 action. My business address is 3055 Wilshire Blvd. 12th Floor,
9 Los Angeles, California, 90010-1137.

10 On February 18, 2005, I caused to be served the foregoing
11 documents described as:

12 Movants/Defendants HENRY VACCARO JR., ELMER KENDIRCK, DEEP
13 END ENTERTAINMENT, VINTAGE POP, INC., and EL-RICH CORP.,
14 JACKSONVAULT.COM, THEJACKSONVAULT.COM'S MOTION TO CONDITION-
15 ALLY SEAL PURSUANT TO RULE OF COURT 243.1 ET. SEQ.; ORDER

16 on the interested parties in this action by leaving a true and
17 correct copy thereof enclosed in a sealed envelope addressed to:

18 THOMAS W. SNEDDON, JR.
19 DISTRICT ATTORNEY'S OFFICE
20 1112 Santa Barbara Street
21 Santa Barbara, CA 93101

22 THOMAS A. MESEREAU, JR.
23 COLLINS, MESEREAU, REDDUCK & YU, LLP
24 1875 Century Park East 7th Fl.
25 Los Angeles, CA 90067

26 ROBERT M. SANGER
27 SANGER & SWYSEN
28 233 E. Carrillo Street, Suite C
Santa Barbara, CA 93101
TEL: 805.962.4887
FAX: 805.963.7311

BRIAN OXMAN
OXMAN & JAROSCAK
14126 East Rosecrans
Santa Fe Springs, CA 90670
TEL: 562.921.5058
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