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FILED

SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

APR 20 2004

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

7 MARK J. GERAGOS, SBN 108325
8 Attorney for Defendant, MICHAEL JACKSON

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 FOR THE COUNTY OF SANTA BARBARA

11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA,

13 Plaintiff,

14 vs.

15 MICHAEL JACKSON,

16 Defendant.

Case No.: 1133603

MICHAEL JACKSON'S EX
PARTE APPLICATION RE
PROTECTIVE ORDER

[FILED UNDER SEAL]
[FILED BY FAX]

Date: April 21, 2004
Place: Department 2 (Telephonic)
Time: 1:00 p.m.

17
18
19 TO: SANTA BARBARA COUNTY DISTRICT ATTORNEY TOM

20 SNEDDON; and

21 TO: CLERK OF THE ABOVE-ENTITLED COURT

22 PLEASE TAKE NOTICE that on April 21, 2004 at the hour of 1:00 p.m. in
23 Department 2 of the above-named court, or as soon thereafter as counsel can be heard,
24 Defendant Michael Jackson ("Mr. Jackson"), through counsel will seek the Court's
25 guidance on the issue of an appropriate response in the event the grand jury should return
26 an indictment against Mr. Jackson.

27
28 EX PARTE APPLICATION RE PROTECTIVE ORDER

Carrie L Wagner

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 RELEVANT FACTS

3 On April 2, 2004 the Court ordered as follows:

4 The Court orders that a modification to the safe harbor order shall be that an
5 ex parte hearing must be calendared, whether the parties agree or disagree
6 on the content of any responsive statement that either side wishes to make
7 to some information that's out in the public sector; that the proposed written
8 statement would be lodged with the Court for an In Camera review by the
9 Court and then returned to the parties with either a denial, not allowing
10 them to use that statement, or permission to use the statement, the
11 understanding of the permission to be clearly stated in any release; that the
12 Court is only making a finding that they're not in violation of the gag order
13 by releasing that statement, not that it approves or disapproves the content
14 of the statement; that if it became a lot of trips to the Courthouse, the Court
15 would reconsider a different way of handling it; that this shall be the final
16 order, completing the gag order.


17 (April 2, 2004 minute order at p. 2.)

18 The defense believes an indictment against Mr. Jackson may be forthcoming in the
19 near future. The defense has grave concerns that the media may obtain (and report)
20 information concerning such an indictment. The defense believes that in the event there
21 are reports of an indictment, Mr. Jackson must be permitted, through counsel, to issue an
22 appropriate statement. In that regard, Mr. Jackson submits the attached proposed
23 statement (Exhibit A) to be released in the event public reports (prior to formal unsealing
24 of the indictment or arraignment on such) are made concerning a grand jury indictment of
25 Mr. Jackson.

26 Respectfully submitted,

27 Dated: April 20, 2004

28 GERAGOS & GERAGOS

By: 
MARK J. GERAGOS
Attorney for Defendant
MICHAEL JACKSON

EX PARTE APPLICATION RE PROTECTIVE ORDER

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Benjamin Brafman (Admitted Pro Hac Vice)
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EX PARTE APPLICATION RE PROTECTIVE ORDER



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EXHIBIT A



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FOR IMMEDIATE RELEASE
APRIL _____, 2004

**STATEMENT BY MICHAEL JACKSON'S ATTORNEYS IN RESPONSE TO
THE ANNOUNCEMENT OF MR. JACKSON'S INDICTMENT**

On, Friday, April 30, 2004 Mr. Jackson will appear in court in Santa Maria, California at which time he will enter a plea of **NOT** guilty to the charges contained in the Indictment that has just been announced.

Mr. Jackson and his attorneys are confident that after a trial on these charges Mr. Jackson will be fully exonerated and that the allegations contained in the Indictment will be shown to be patently false.

Mr. Jackson and his attorneys remind the public that an indictment is merely a formal "accusation." We also remind the public that Michael Jackson like any other person accused of a crime is "presumed to be innocent." In this case Mr. Jackson is not just "presumed" to be innocent but is in fact innocent. Michael is looking forward to his day in court and wishes to thank the millions of fans throughout the world who continue to support him during this difficult period.

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PROOF OF SERVICE BY FAX

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 350 S. Grand Avenue, 39th Floor, Los Angeles, California 90071.

On execution date set forth below, I served the following

**MICHAEL JACKSON'S EX PARTE APPLICATION
RE PROTECTIVE ORDER**

_____ placing a true copy thereof enclosed in sealed envelopes with postage thereon fully prepaid, to the attorneys and their perspective addresses listed below, in the United States Mail at Los Angeles, California.

X transmitting by facsimile transmission the above document to the attorneys listed below at their receiving facsimile telephone numbers. The sending facsimile machine I used, with telephone number (213) 625-1600, complied with C.R.C. Rule 2003(3). The transmission was reported as complete and without error.

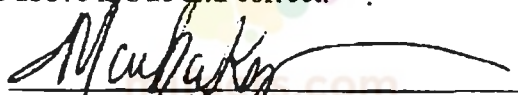
_____ personally delivering the document(s) listed above to the party or parties listed below, or to their respective agents or employees.

PARTIES SERVED BY FAX:

DA Thomas Sneddon
Fax No.: 805-568-2398

Executed on APRIL 20, 2004, at Los Angeles, California.

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



MARY J. HAKOPIAN

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FAX COVER SHEET

From: CHRIS CAMPBELL
Client/Matter: PEOPLE V. JACKSON
Date: April 20, 2004
Pages: 7 (INCLUDING COVER)

RECIPIENT	FACSIMILE NUMBER
Thomas Sneddon, District Attorney	805 568 2398

COMMENTS:

Please deliver to Mr. Sneddon. Thanks.

The information contained in this facsimile message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above. If the person actually receiving this facsimile is not the named recipient or agent responsible to deliver it to the named recipients, any use, dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately.

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Thomas Sneddon, District Attorney	805 568 2398

COMMENTS:

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APRIL _____, 2004

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FAX COVER SHEET

From: CHRIS CAMPBELL
Client/Matter: PEOPLE v. JACKSON
Date: APRIL 21, 2004
Pages: 2 (INCLUDING COVER)

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ROBERT SANGER	805-963-7311
STEVE COCHRAN	310-788-4471

As previously discussed. Please call if you have any questions.

Chris

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