Thomas A. Mesereau, Jr. (SBN 91182) Susan C. Yu (SBN 195640) COLLINS, MESEREAU, REDDOCK & YU, LLP 1875 Century Park East, 7^{πι} Floor MAY - 3 2005Los Angeles. California 90067 3 Tel: (310) 284-3120; Fax: (310) 284-3133 GARY M. BLAIR, Executive Officer Carried Wagner 4 Robert M. Sanger (SBN 58214) CARRIE L. WAGNER, Debuty Clerk SANGER & SWYSEN 5 233 E. Carrillo St., Suite C Santa Barbara, CA 93101 6 Tel: (805) 962-4887; Fax: (805) 963-7311 7 8 Attorneys for Defendant MICHAEL JOE JACKSON 9 SUPERIOR COURT OF THE STATE OF CALIFORNIA 10 FOR THE COUNTY OF SANTA BARBARA 11 SANTA MARIA DIVISION 12 THE PEOPLE OF THE STATE OF CASE NO. 1133603 CALIFORNIA. 14 EX PARTE APPLICATION TO FILE UNDER Plaintiff. SEAL: (1) SUPPLEMENTAL REQUEST FOR ATTENDANCE OF OUT-OF-STATE 15 WITNESS (PEN. CODE § 1334); AND (2) 16 CERTIFICATE OF REQUESTING STATE MICHAEL JOE JACKSON FOR ATTENDANCE OF WITNESS 17 LOCATED OUTSIDE; [PROPOSED] ORDER Defendant. 18 NOT REQUIRED HEARING: 19 DATE: N/A 20 TIME: N/A Place: Dept. SM-2 21 22 23 24 25 26 27 28 EX PARTE APPLICATION TO FILE UNDER SEAL: (1) SUPPLEMENTAL REQUEST FOR ATTENDANCE OF OUT-OF-STATE WITNESS (PEN. CODE § 1334); AND (2) CERTIFICATE

OF REQUESTING STATE FOR ATTENDANCE OF WITNESS LOCATED OUTSIDE; [PROPOSED] ORDER

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Michael J. Jackson ("Mr. Jackson"), through his counsel, hereby applies ex parte for leave to file <u>under seal</u>: (1) supplemental request for attendance of out-of-state witness (Pen. Code § 1334) ("Request"); and (2) certificate of requesting state for attendance of witness located outside ("Certificate").

This Request is made to protect the witness from being unduly harassed and to preserve Mr. Jackson's constitutional rights to a fair trial, due process of law, a fair an impartial jury, the effective assistance of counsel, and to equal protection of the laws and the privileges and immunities guaranteed by the 4th, 5th, 6th and 14th Amendments to the United States Constitutions and Article I of the California Constitution. Accordingly, Mr. Jackson respectfully requests that the Court not release the unredacted version of the Request and the Certificate until the witness is served. The defense will promptly notify the Court when so served. Until then, the defense requests that the Court release only the redacted version, concurrently filed herewith.

This application is based upon the attached declaration of Susan C. Yu, the files and record in this case and any other information presented prior to a ruling hereon.

Dated: May 3, 2005

Respectfully submitted,

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COLLINS, MESEREAU, REDDOCK & YU Thomas A. Mesereau, Jr. Susan C. Yu

SANGER & SWYSEN Robert M. Sanger

Bv:

Susan C. Yu

Attorneys for MICHAEL JOE JACKSON

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EX PARTE APPLICATION TO FILE UNDER SEAL; (1) SUPPLIMENTATION OF FILE UNDER SEAL; (1) SUPPLIMENTATION OF REQUESTING STATE FOR ATTENDANCE OF WITNESS LOCATED OF MITNESS LOCATED OF MITNESS LOCATED OF MITNESS LOCATED OF MITNESS

DECLARATION OF SUSAN C. YU

I. Susan C. Yu declare:

- 1. I am an attorney at law duly licensed to practice law in the courts of the State of California, a partner in the law firm of Collins, Mesereau, Reddock & Yu, and co-counsel for Mr. Michael Jackson in this criminal proceeding. I submit this declaration in support of an ex parte application for leave to file under seal (1) Mr. Jackson's supplemental request for attendance of out-of-state witness (Pen. Code § 1334) ("Request"); and (2) the accompanying certificate of requesting state for attendance of witness located outside ("Certificate").
- 2. This Request is made to protect the witness from being unduly harassed and to preserve Mr. Jackson's constitutional rights to a fair trial, due process of law, a fair an impartial jury, the effective assistance of counsel, and to equal protection of the laws and the privileges and immunities guaranteed by the 4th, 5th, 6th and 14th Amendments to the United States Constitutions and Article I of the California Constitution. Accordingly, Mr. Jackson respectfully requests that the Court not release the unredacted version of the Request and the Certificate until the witness is served. The defense will promptly notify the court when so served. Until then, the defense requests that the Court release only the redacted version, concurrently filed herewith.

This application is based upon the attached declaration of Susan C. Yu, the files and record in this case and any other information presented prior to a ruling hereon.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 3rd day of May, 2005 at Los Angeles, California.

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EX PARTE APPLICATION TO FILE UNDER SEAL: (1) SUPPLEMENTAL REQUEST FOR ATTENDANCE OF OUT-OF-STATE WITNESS (PEN. CODE § 1334); AND (2) CERTIFICATE OF REQUESTING STATE FOR ATTENDANCE OF WITNESS LOCATED OUTSIDE; [PROPOSED] ORDER