

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

MAY 18 2005

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 GORDON AUCHINCLOSS (State Bar No. 150251)
Senior Deputy District Attorney
4 GERALD McC. FRANKLIN (State Bar No. 40171)
Senior Deputy District Attorney
5 1112 Santa Barbara Street
Santa Barbara, CA 93101
6 Telephone: (805) 568-2300
7 FAX: (805) 568-2398

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

11
12 THE PEOPLE OF THE STATE OF CALIFORNIA,
13 Plaintiff,

14 vs.

15
16
17
18
19
20 MICHAEL JOE JACKSON,
21 Defendant.

No. 1133603

**PLAINTIFF'S MOTION TO
EXCLUDE TESTIMONY OF
DEFENSE WITNESSES
DEXTER MASON & PAUL
KRUGMAN PURSUANT TO
EVIDENCE CODE § 352 &
THE PRIOR RULING OF
THIS COURT**

DATE: TBA
TIME: 8:30 AM
DEPT.: SM2 (Melville)

22
23 **INTRODUCTION**

24 The defense has indicated their intent to call as witnesses Mr. Dexter Mason and
25 Mr. Paul Krugman. Both of these individuals were security agents involved in the J.C. Penney
26 incident of 1998 which resolved in favor of the Arvizo family. Insofar as the only possible
27
28

1 evidence the defense intends to introduce from either of these witnesses involves the conduct
2 of parties involved in the J.C. Penny litigation, it is irrelevant to this current proceeding.

3 This court issued an order on February 25, 2005, prohibiting the defense from re-
4 litigating the J.C. Penny case. It is clear that the defense purpose of calling these two
5 witnesses is to do precisely that which the court would not allow at the beginning of this case.
6 The defense should be required to notice this court and the People by way of written motion
7 why the court's order of February 25 should no longer apply. The People should be given
8 ample time to reply and argue this issue prior to the defense calling these witnesses.

9
10 DATED: May 18, 2005

11 Respectfully submitted,

12 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY

13
14 By: 

15 Mag M. Nicola
16 Senior Deputy District Attorney

17 Attorneys for Plaintiff
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4 **PROOF OF SERVICE**

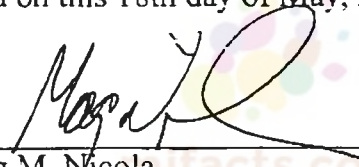
5 STATE OF CALIFORNIA
6 COUNTY OF SANTA BARBARA } SS

7 I am a citizen of the United States and a resident of the County aforesaid; I am over
8 the age of eighteen years and I am not a party to the within-entitled action. My business
9 address is: District Attorney's Office; Courthouse; 1112 Santa Barbara Street, Santa Barbara,
10 California 93101.

11 On May 18, 2005, I served the within **PLAINTIFF'S REPLY TO**
12 **DEFENDANT'S OPPOSITION RE: EVIDENCE CODE § 402 ISSUES** on Defendant, by
13 THOMAS A. MESEREAU, JR., and ROBERT SANGER, by personally delivering a true copy
14 thereof to Mr. Sanger.

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

16 Executed at Santa Barbara, California on this 18th day of May, 2005.

17 
18 _____
19 Mag M. Nicola
20
21
22
23
24
25
26
27
28

SERVICE LIST

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THOMAS A. MESEREAU, JR., ESQ.
Collins, Mesereau, Reddock & Yu, LLP
1875 Century Park East, No. 700
Los Angeles, CA 90067
FAX: [Confidential]
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



mjfacts.com

mjfacts.com

mjfacts.com



mjfacts.com



mjfacts.com



mjfacts.com



mjfacts.com



mjfacts.com



mjfacts.com



mjfacts.com



mjfacts.com



mjfacts.com

