

1 **COLLINS, MESEREAU, REDDOCK & YU**
2 Thomas A. Mesereau, Jr., State Bar Number 091182
3 Susan C. Yu, State Bar Number 195640
4 1875 Century Park East, 7th Floor
5 Los Angeles, CA 90067
6 Tel.: (310) 284-3120, Fax: (310) 284-3133

7 **SANGER & SWYSEN**
8 Robert M. Sanger, State Bar Number 058214
9 Stephen K. Dunkle, State Bar Number 227136
10 233 East Carrillo Street, Suite C
11 Santa Barbara, CA 93101
12 Tel.: (805) 962-4887, Fax: (805) 963-7311

13 Attorneys for Defendant
14 **MICHAEL JOSEPH JACKSON**

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

MAY 19 2005

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

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA
16 FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION

17 THE PEOPLE OF THE STATE OF CALIFORNIA,

18 Plaintiffs,

19 vs.

20 MICHAEL JOSEPH JACKSON,

21 Defendant.

Case No. 1133603

PARTIAL TRANSCRIPT AND LODGING OF
CD-R RECORDING OF VINCENT AMEN
INTERVIEW

DATE: TBA
TIME: TBA
DEPT: SM-8

22 Defendant submits to the Court a partial transcript of the interview of Vincent Amen,
23 recorded by the Santa Barbara District Attorney and the Santa Barbara Sheriffs Office (Sheriff's
24 Item # 230, "Amen Interview 12-29-04"), attached as Exhibit A.

25 Defendant also lodges herewith a CD-R recording of the interview, provided to the
26 defense by the District Attorney in discovery. We ask the Court to have the clerk mark the CD-R
27 as defense exhibit next in order.

28 PARTIAL TRANSCRIPT AND LODGING OF CD-R RECORDING OF VINCENT AMEN
INTERVIEW

1 Defendant asks the Court to note that after Detective Robel states "nothing can be used
2 against you directly . . ." it is Mr. Auchincloss, himself, who states to Mr. Amen and his lawyer:

3 And that is the agreement uhum, in California we call it 'use immunity' uh, so
4 nothing you say in this interview can be used against you. Uhum and ah if we
5 ahm just something Jay said is we can go out and obtains fruits from this
6 interview. Ah, but the fruits of that interview cannot be used against you. And if
7 we obtain, find something as a result, direct result that we wouldn't have found
8 otherwise of this interview. ahm we can't use that against you. Okay so ahm it
9 protects you for purposes of what you say here today. Alright

8 Dated: May 19, 2005

Respectfully submitted,

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

11 SANGER & SWYSEN
12 Robert M. Sanger
Stephen K. Dunkle

14 For ~~X~~:



15 Robert M. Sanger
16 Attorneys for Defendant
17 MICHAEL JOSEPH JACKSON

28 PARTIAL TRANSCRIPT AND LODGING OF CD-R RECORDING OF VINCENT AMEN
INTERVIEW

Item 230
Vincent Amen Interview
Partial Transcript
12-30-04

1
2
3
4
5 Present: Vincent Amen, John Jay Fahy, Jeff Klapakis, Steve Robel, Gordon Auchincloss

6
7
8 Robel: (inaudible) We went over some of the stuff in Tom's office and all
9 but I just kind of want to reiterate that you know this is a non I
10 mean I could say it's a non-stressful environment but you know I
11 mean I can understand your...

12 Amen: (inaudible)

13 Robel: ...your position right now and all and I appreciate you and, and Jay
14 coming here and wanting to talk to us today and like I said you
15 can take breaks, um coffee breaks, restroom breaks you can a lunch
16 break, things like that so and if anything comes up we need to you
17 know take a break for please just let me know

18 Amen: Okay.

19 Robel: Okay and to reiterate on the honesty aspect of things we have been
20 on the case for close to two (2) years now and we've been out and
21 interviewed I'm sure you've heard it on the news all the search
22 warrants we've done and all the people we've interviewed and so
23 forth and we've gathered up a lot, a lot of information so you
24 know we have a lot of the knowledge of what's going on and what
25 has gone on that you were there and others but just like to hear
26 it from you.

27 Amen: Right.

28 Robel: Just, and I know that you want to just let us know everything and
what I'd like to do is uh once we get started is I was gonna have
you just, just talk to us we're gonna listen and let you uh take

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

us from the beginning you know when you first uh were employed by Michael how that happened and um just take us through you know your month of being employed by Michael.

Amen: Okay.

Robel: And, and uh and what transpired in you opinions and your observations and then what we'll do uh after that is will go ahead and start asking some ah some more direct questions and clarifications and things like that, so... very low key, very low key, just the main thing is (inaudible).

Amen: Absolutely.

Auchincloss: And ah, just ah, the way that this is going to work is ah, Steve is going to ask ah, conduct the interview, ahmmm, if Jeff and I have a follow-up question we might interject, but that pretty much ah, Steve's gonna be asking the questions to get through the initial interview. Ahhh, they'll be two follow-up questions after we get a general sense of ah, the information that you are going to be providing us. Ah, there some exhibits I'm going to show you later on, Ahhh that we'll go through and talk about some of the evidence we've gathered. And if you have any questions as I said before ah you know ah if you have ah, thought or concern or question, ah, feel free to ask. Let us know.

Amen: Okay.

Officer: Okay.

Amen: And again the full story I --- nothing can be used against me?

Robel: Well what we've done is, this is a ahh proffer of --- we mentioned it ---, a proffer of when you're you aware. Nothing can be used against you directly, it can be used against you for cross-

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

examination or any fruits ah could, ah they could check out any fruits or check out any leads. That is...

Auchincloss: And that is the agreement uhum, in California we call it 'use immunity' uh, so nothing you say in this interview can be used against you. Uhum and ah if we ahm just something Jay said is we can go out and obtains fruits from this interview. Ah, but the fruits of that interview cannot be used against you. And if we obtain, find something as a result, direct result that we wouldn't have found otherwise of this interview, ahm we can't use that against you. Okay so ahm it protects you for purposes of what you say here today. Alright

Amen: Okay.

Robel: [inaudible] anything else [inaudible] interview. If you are tired and you wanna take a five minute break, ten minute break, or...

Officer: You need anything, you're too tired, let us know.