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23 Attorneys for Defendant
24 **MICHAEL JOSEPH JACKSON**

25 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
26 **FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION**

27 **THE PEOPLE OF THE STATE OF**
28 **CALIFORNIA,**

Plaintiffs,

vs.

MICHAEL JOSEPH JACKSON,

Defendant.

) Case No. 1133603

) **ITEMS TO BE SUPPRESSED**

) ~~UNDER SEAL~~

) Honorable Rodney Melville

) Date: August 19, 2004

) Time: 10:00 am

) Dept: SM 8

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

AUG 19 2004

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

* Unsealed pursuant
to 6/16/05 court
Order

ITEMS TO BE SUPPRESSED

1 Counsel for Mr. Jackson submits the following document in response to the request of the
2 Court for a list of items which the defense seeks to suppress as a result of the unlawful searches
3 and seizures described in the Motion to Suppress Evidence, Part II. The following list is based on
4 discovery provided to date by the government and is subject to revision upon being provided
5 further discovery, upon further investigation and upon the development of additional facts during
6 the course of the hearings on these matters. In addition, as stated in open court, it is understood
7 that the defense has sought to suppress all intangible results of any unlawful search, including the
8 observations of law enforcement officers and all evidence or other matters derived from the fruits
9 of any unlawful search, including statements, leads, observations and evidence. Finally, as stated
10 in open court, Mr. Jackson seeks to suppress all evidence whatsoever, including observations and
11 the fruits thereof, in the event that the court grants the motion to quash the search warrants or to
12 suppress all evidence as a result of an overbroad search.

13 Therefore, without limitation, the following items are included in the items to be
14 suppressed under the Motion to Suppress, Part II, as to the Neverland Ranch search, on the
15 grounds that the items were not described in the warrant or that the area searched was outside the
16 area described in the warrant:

- 17 Item 305: Framed photograph of Macaulay Culkin from Home Alone
18 Item 308 Computer
19 Item 309 Leather bag containing various items including fan mail, letter from Gary
20 Community School Corporation, Gary Hearn's phone number, a book, a crown
21 pendant, an envelope from the Motion Picture Association, a syringe, various
22 paperwork, pages from magazines
23 Item 312 Legal Paperwork
24 Item 318 Legal Paperwork
25 Item 319 Robb Report Magazine with Mohammed Al Fayed's phone number written on it
26 Item 322 Letter to Ronald Konitzer
27 Item 325 Misc. Paperwork containing phone numbers, names

28

ITEMS TO BE SUPPRESSED

- 1 Item 326 Print ads for children's clothing
- 2 Item 328 Several paperwork with Frank's name: i.e. envelope with note "RE: Event with
3 Bill Clinton and Nelson Mandela, etc . . ."
- 4 Item 329 Computer
- 5 Item 330 Photographs of children located in the employee break room safe
- 6 Item 331 Legal Documents
- 7 Item 332 Envelope with Dieter Weisner's information
- 8 Item 333 Computer
- 9 Item 334 Computer
- 10 Item 335 Laptop Case
- 11 Item 337 Keyboard
- 12 Item 338 1.75 liters of Jack Daniels
- 13 Item 333a One piece of paper with written names and telephone numbers
- 14 Item 334a Several pieces of paper, which had Grace Rwaramba's name written on it
- 15 Item 329a Several DVD-R and CDR digital computer storage disks
- 16 Item 338a Sample and control swab from pour spout/lip area of Jack Daniels bottle
- 17 Item 339a Sample and control swab from pour spout/lip area of wine bottle
- 18 Item 339 Pinot Noir bottle of wine
- 19 Item 340 VHS tape
- 20 Item 341 Frank Tyson indicia
- 21 Item 342 Computer
- 22 Item 343 Keyboard and mouse
- 23 Item 344 Computer
- 24 Item 345 Computer
- 25 Item 346 Computer
- 26 Item 347 Computer
- 27 Item 348 Camera

28

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- 1 Item 349 Paperwork with Farshchain's name
- 2 Item 350 Misc. Paperwork: black Mead notebook with names, phone numbers, and
- 3 addresses of people not related to this investigation; a job recruitment ad for the
- 4 State Department.
- 5 Item 351 Misc. Papers: Bill for a classified ad placed by "Grace Smith."
- 6 Item 352 Paperwork identifying Ms. Grace Rwaramaba: Visa bill showing transactions
- 7 from September and October of 2003, envelope addressed to Marlo Thomas, fax
- 8 cover sheet
- 9 Item 353 Liza Minelli's Christmas Invitation
- 10 Item 354 November 2003 calendar with notations regarding trip to South Africa
- 11 Item 359 Poo-chi book
- 12 Item 362 Frank information and number: yellow lined paper with the name Frank written
- 13 above a phone number
- 14 Item 367 Optimus audiocassette recorder, audiocassette titled "Earth Song 6-8-89"
- 15 Item 368 Three videocassette tape recordings
- 16 Item 369 Keys to master bedroom

ITEMS SEIZED FROM THE VIDEO ARCADE AREA

- 18 Item 501 Photos: two polaroid photos of two boys
- 19 Item 502 Photos: black and white photos of the faces of two men
- 20 Item 503 Photos: Four sheets with sixteen photos on each sheet. One sheet is of the faces
- 21 of three teenage girls in a photo booth style photo.
- 22 Item 504 Notepaper with telephone number: Dr. Kline with phone number.

ITEMS SEIZED FROM THE DOWNSTAIRS CELLAR AREA

- 24 Item 505 3 Books: Underworld by Kelly Kline with introduction by Anne Rice; Simen
- 25 Johan
- 26 Item 506 Photos: black and white photo of woman with two children, polaroid of teenage
- 27 boy

ITEMS TO BE SUPPRESSED

ITEMS SEIZED FROM THE UPSTAIRS LIBRARY ROOM

- 1
- 2 Item 507 Notepaper: blank paper with Neverland logo
- 3 Item 508 Book
- 4 Item 509 Book
- 5 Item 510 Two bags with misc. underclothes (Mens size 30-32) and bloody bed linen
- 6 Item 510a Garden City Hotel bag: 9 pairs of underwear, 1 set of bed linen; Disney bag: 1 set
- 7 of bed linen
- 8 Item 511 Underwear
- 9 Item 512 Tissue
- 10 Item 513 Misc. Torn papers: phone messages with numbers, other messages
- 11 Item 514 Vial
- 12 Item 515 Medicine bottles
- 13 Item 516 Misc. correspondence: Holiday card from Pec Wee Herman, letter from Star Drug
- 14 Co., letter from Jessica Martinez, handwritten note regarding Buprene
- 15 Item 517 CD
- 16 Item 518 Prescription paperwork for Rivera and Tyson

ITEMS SEIZED FROM THE SECURITY OFFICE

- 17
- 18 Item 601 Medical Log/Report
- 19 Item 602 Accident Report
- 20 Item 603 Hard Drive
- 21 Item 605 CD-R
- 22 Item 606 Cables
- 23 Item 607 Computer
- 24 Item 608 Keyboard
- 25 Item 609 Monitor
- 26 Item 610 Security/Guest Information: Guests are "Mark Geragos" and "Malt Dalton"
- 27 "(Attorneys)"
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ITEMS TO BE SUPPRESSED

- 1 Item 611 Daily entry log
- 2 Item 612 Daily entry log
- 3 Item 613 Daily entry log
- 4 Item 614 Daily entry log
- 5 Item 615 Daily entry log
- 6 Item 616 Daily entry log
- 7 Item 617 Daily entry log
- 8 Item 618 Daily entry log
- 9 Item 619 Daily entry log
- 10 Item 620 Daily entry log
- 11 Item 621 Security Guest Information
- 12 Item 622 Security Guest Information
- 13 Item 623 Security Guest Information
- 14 Item 624 Daily entry log
- 15 Item 625 Daily entry log
- 16 Item 626 Daily entry log
- 17 Item 627 Daily entry log
- 18 Item 628 Daily entry log
- 19 Item 629 Daily entry log
- 20 Item 630 Business Clearance
- 21 Item 631 Daily entry log
- 22 Item 632 Daily entry log
- 23 Item 633 Daily entry log
- 24 Item 634 Daily entry log
- 25 Item 635 Daily entry log
- 26 Item 636 Daily entry log
- 27 Item 637 Daily entry log
- 28

ITEMS TO BE SUPPRESSED

- 1 Item 638 Daily entry log
- 2 Item 639 Daily entry log
- 3 Item 640 Daily entry log
- 4 Item 641 Daily entry log
- 5 Item 642 Daily entry log
- 6 Item 643 Attorney-client document
- 7 Item 644 Computer
- 8 Item 645 Computer

ITEMS SEIZED FROM THE OFFICE

- 10 Item 1001 Magazine
- 11 Item 1002 Magazine
- 12 Item 1003 Photograph: Promotional photo for the band "3T" for their single "Why"
- 13 Item 1004 Photographs: Promotional photos for the band "3T" for their single "Why"
- 14 Item 1005 Photographs
- 15 Item 1006 Photographs
- 16 Item 1007 Photographs: Promotional photos for the band "3T" for their single "Why"
- 17 Item 1008 Photographs: Promotional photos for the band "3T" for their single "Why"
- 18 Item 1009 Black plastic case with phone recording equipment
- 19 Item 1009a Audiocassette tape
- 20 Item 1010 Envelope with phone message from Dieter

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27 ///

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ITEMS TO BE SUPPRESSED

1 Dated: August 18, 2004

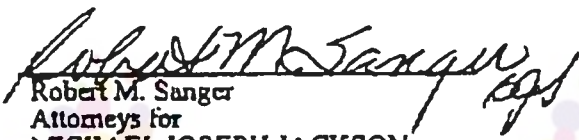
2 Respectfully submitted,

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

6 KATTEN MUCHIN ZAVIS ROSENMAN
7 Steve Cochran
8 Stacey McKee Knight

9 SANGER & SWYSEN
10 Robert M. Sanger

11 OXMAN & JAROSCAK
12 Brian Oxman

13 By: 
14 Robert M. Sanger
15 Attorneys for
16 MICHAEL JOSEPH JACKSON

PROOF OF SERVICE

I, the undersigned declare:


I am over the age of 18 years and not a party to the within action. I am employed in the County of Santa Barbara. My business address is 233 East Carrillo Street, Suite C, Santa Barbara, California, 93101.

On August 18, 2004, I served the foregoing document **ITEMS TO BE SUPPRESSED** on the interested parties in this action by depositing a true copy thereof as follows:

Tom Sneddon
Gerald Franklin - By Hand
Ron Zonen
Gordon Auchincloss
District Attorney
1105 Santa Barbara Street
Santa Barbara, CA 93101
568-2398

- BY U.S. MAIL - I am readily familiar with the firm's practice for collection of mail and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited daily with the United States Postal Service in a sealed envelope with postage thereon fully prepaid and deposited during the ordinary course of business. Service made pursuant to this paragraph, upon motion of a party, shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit.
- BY FACSIMILE - I caused the above-referenced document(s) to be transmitted via facsimile to the interested parties at 568-2398.
- BY HAND - I caused the document to be hand delivered to the interested parties at the address above.
- STATE - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed August 18, 2004, at Santa Barbara, California.


Carol Dowling