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12 Attorneys for Defendant  
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SEP 13 2004  
 SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF SANTA BARBARA

GABY M. BURT, Esquire, Clerk  
 27 E. Carrillo Street, Suite C  
 Santa Barbara, California 93101

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 15 FOR THE COUNTY OF SANTA BARBARA  
 16 SANTA MARIA DIVISION

18 THE PEOPLE OF THE STATE OF  
 CALIFORNIA,

19 Plaintiff,

20 vs.

21 MICHAEL JOSEPH JACKSON

22 Defendant.

CASE NO. 1133603

**EX PARTE APPLICATION FOR  
 LEAVE TO FILE UNDER SEAL  
 MR. JACKSON'S MOTION TO  
 COMPEL DISCOVERY;  
 DECLARATION OF ROBERT  
 SANGER; PROPOSED ORDER**

~~FILED UNDER SEAL~~

26 Defendant Michael J. Jackson, through his counsel, hereby applies ex parte for  
 27 leave to file under seal his motion to compel discovery. Filing under seal is  
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necessary because the content of the motion includes reference to details in under seal material, including discovery materials.

This application is based upon the attached declaration of Robert M. Sanger, the file and record in this case and any other information presented prior to a ruling hereon.

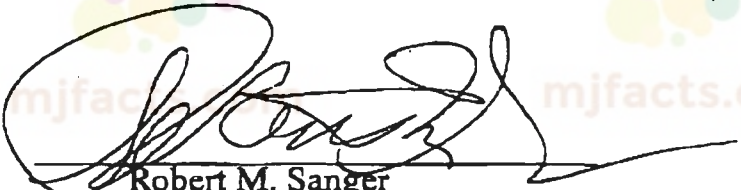
Dated: September 3, 2004

Respectfully submitted,

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

Robert M. Sanger  
SANGER & SWYSEN

Brian Oxman  
OXMAN & JAROSCAK

By:   
Robert M. Sanger  
Attorneys for Defendant  
MICHAEL JOSEPH JACKSON

**DECLARATION OF ROBERT M. SANGER**

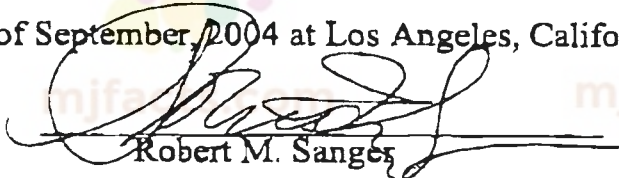
I, Robert M. Sanger, declare as follows:

1. I am an attorney duly authorized to practice before all courts of the State of California and co-counsel for Michael J. Jackson. I submit this declaration in support of an ex parte application for leave to file under seal Mr. Jackson's motion to compel discovery.

2. The motion papers describe materials that have been maintained under seal by this Court. Details about the investigation and other discovery are mentioned in the moving papers. Therefore, in accordance with the practice directed by this Court, leave is sought to file this motion under seal.

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

Executed this 3rd day of September, 2004 at Los Angeles, California.

  
Robert M. Sanger