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11 Attorneys for Defendant  
12 **MICHAEL JOSEPH JACKSON**

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
14 FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION

16 THE PEOPLE OF THE STATE OF  
17 CALIFORNIA,

18 Plaintiffs,

19 vs.

20 MICHAEL JOSEPH JACKSON,

21 Defendant.

Case No. 1133603

22 ~~PROPOSED~~ ORDER THAT THE  
23 EMERGENCY EX PARTE APPLICATION  
24 FOR AN ORDER DIRECTING THAT  
25 MATERIALS SEIZED FROM SEARCH  
26 WARRANT NUMBER 5135 BE SEALED  
27 AND THAT THE PROVISIONS OF PENAL  
28 CODE SECTION 1524(C) BE  
IMPLEMENTED; DECLARATION OF  
ROBERT M. SANGER AND ~~PROPOSED~~  
ORDER AND ACCOMPANYING  
DOCUMENTS BE FILED UNDER SEAL

Honorable Rodney S. Melville

Date: September 17, 2004  
Time: 1:00 P.M.  
Dept: SM 8

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA

SEP 22 2004

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

1 **GOOD CAUSE APPEARING**, it is hereby ordered that the EMERGENCY EX PARTE  
2 APPLICATION FOR AN ORDER DIRECTING THAT MATERIALS SEIZED FROM  
3 SEARCH WARRANT NUMBER 5135 BE SEALED AND THAT THE PROVISIONS OF  
4 PENAL CODE SECTION 1524(C) BE IMPLEMENTED; DECLARATION OF ROBERT M.  
- 5 SANGER AND [PROPOSED] ORDER and accompanying documents, be filed under seal.

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7 DATED: SEP 22 2004

  
8 Judge of the Superior Court

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ORDER THAT  
ITEMS TO BE SUPPRESSED AND ACCOMPANYING DOCUMENTS BE FILED UNDER SEAL

**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 September 16, 2004, I served the foregoing document APPLICATION TO FILE UNDER SEAL the Emergency ex Parte Application for an Order Directing That Materials Seized from Search Warrant Number 5135 Be Sealed and That the Provisions of Penal Code Section 1524(c) Be Implemented; Declaration of Robert M. Sanger and [Proposed] Order on the interested parties in this action by depositing a true copy thereof as follows:

Tom Sneddon  
District Attorney  
1105 Santa Barbara Street  
Santa Barbara, CA 93101  
805-568-2398

Theodore Boutrous  
William Thomson  
Gibson Dunn & Crutcher  
333 South Grand Avenue  
Los Angeles, CA 90071  
213-229-7520

**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 [SEE ABOVE]

**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 September 16, 2004 at Santa Barbara, California.

  
Bobette J. Tryon

PROOF OF SERVICE  
1013A(1)(3), 1013(c) CCP

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA:

I am a citizen of the United States of America and a resident of the county aforesaid. I am employed by the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action. My business address is 312-H East Cook Street, Santa Maria, California.

On SEPTEMBER 22, 20 04, I served a copy of the attached ORDER THAT THE EMERGENCY EX PARTE APPLICATION FOR AN ORDER DIRECTING THAT MATERIALS SEIZED FROM SEARCH WARRANT NUMBER 5135 BE SEALED AND THAT THE PROVISIONS OF PENAL CODE SECTION 1524(c) BE IMPLEMENTED; DECLARATION OF ROBERT M. SANGER AND ORDER AND ACCOMPANYING DOCUMENTS BE FILED UNDER SEAL addressed as follows:

THOMAS W. SNEDDON, DISTRICT ATTORNEY  
DISTRICT ATTORNEY'S OFFICE  
1105 SANTA BARBARA STREET  
SANTA BARBARA, CA 93101

THOMAS A. MESEREAU, JR.  
COLLINS, MESEREAU, REDDOCK & YU, LLP  
1875 CENTURY PARK EAST, 7<sup>TH</sup> FLOOR  
LOS ANGELES, CA 90067

FAX

By faxing true copies thereof to the receiving fax numbers of: 805-568-2398 (DISTRICT ATTORNEY); 310-861-1007 (THOMAS A. MESEREAU, JR). Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(i), a transmission report was properly issued by the transmitting facsimile machine and is attached hereto.

MAIL

By placing true copies thereof enclosed in a sealed envelope with postage fully prepaid, in the United States Postal Service mail box in the City of Santa Maria, County of Santa Barbara, addressed as above. That there is delivery service by the United States Postal Service at the place so addressed or that there is a regular communication by mail between the place of mailing and the place so addressed.

PERSONAL SERVICE

By leaving a true copy thereof at their office with their clerk therein or the person having charge thereof.

EXPRESS MAIL

By depositing such envelope in a post office, mailbox, sub-post office, substation, mail chute, or other like facility regularly maintained by the United States Postal Service for receipt of Express Mail, in a sealed envelope, with express mail postage paid.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 22<sup>ND</sup> day of SEPTEMBER, 2004, at Santa Maria, California.

  
CARRIE L. WAGNER