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18 Attorneys for Defendant
19 **MICHAEL JOSEPH JACKSON**

20 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
21 **FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION**

22 **THE PEOPLE OF THE STATE OF**
23 **CALIFORNIA,**

24 Plaintiffs,

25 vs.

26 **MICHAEL JOSEPH JACKSON,**

27 Defendant.

28 Case No. 1133603

NOTICE OF MOTION AND MOTION TO
COMPEL COMPLIANCE WITH SUBPOENA
TO UCLA MEDICAL CENTER

Honorable Rodney S. Melville

Date: November 29, 2004

Time: 1:30 p.m.

Dept: SM 2

FILED UNDER SEAL *In Camera*

29 TO COMPLAINING PARTIES, JANET ARVIZO, DAVELLIN ARVIZO, GAVIN
30 ARVIZO, AND STAR ARVIZO, AND THEIR ATTORNEYS OF RECORD:

31 PLEASE TAKE NOTICE that on November 29, 2004, at 8:30 a.m. or as soon thereafter as

32 EX PARTE APPLICATION TO FILE UNDER SEAL

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

NOV 19 2004

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

*Unsealed pursuant
to 6/16/05 Court
Order*

1 the matter can be heard, in Department SM-2 of the above-entitled court located at 312 East Cook
2 Street, Santa Maria, California 93454, Michael Jackson will move the court for an order Compelling
3 Compliance with Subpoena to UCLA Medical Center and overruling the objection submitted by the
4 complaining witnesses. This motion will be based on the following grounds:

5 (1) There is no physician-patient privilege in criminal proceedings, and the complaining
6 witnesses' objection against UCLA Medical Center responding to Mr. Jackson's subpoena is with
7 legal or factual support.

8 (2) The complaining mother's medical records and condition is relevant because she claims
9 physical injuries as a result of Mr. Jackson's conduct and she has placed in issue her physical and
10 mental condition.

11 (3) The complaining mother has waived claims of privacy by disclosing her medical
12 condition when she submitted to the court a medical report concerning her condition signed by Dr.
13 Carol Archie, and Mr. Jackson's right to a fair trial outweigh any privacy claim the complaining
14 mother might assert.

15 This Motion will be based on this Notice of Motion and Motion, the accompanying
16 Memorandum of Points and Authorities, and all the records, papers, and pleadings on file with the
17 with the court.

18 Dated: November 19, 2004

19 COLLINS, MESEREAU, REDDOCK & YU
20 Thomas A. Mesereau, Jr.
21 Susan C. Yu

22 SANGER & SWYSEN
23 Robert M. Sanger

24 OXMAN & JAROSCAK
25 Brian Oxman

26 By:

27 
28 R. Brian Oxman
Attorneys for
MICHAEL JOSEPH JACKSON

EX PARTE APPLICATION TO FILE UNDER SEAL