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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.

**REDACTED VERSION**

Case No. 1133603

RESPONSE TO THE COURT'S INQUIRY  
REGARDING COMPUTER EXPERT

Honorable Rodney S. Melville

Date: November 19, 2004

Time: 8:30 am

Dept: ~~SMC~~

28 Defendant, Michael Jackson, by his counsel, responds to the Court's inquiry regarding a computer expert as follows:

RESPONSE TO THE COURT'S INQUIRY REGARDING COMPUTER EXPERT

1 1. Mr. Jackson would respectfully object to the appointment of [REDACTED] based on the  
2 fact that [REDACTED] is an active operative of law enforcement and is not the type of neutral expert  
3 required for the assignment as follows:

4 a. [REDACTED] is actively employed by the [REDACTED] and offers to do  
5 the work only under the supervision of [REDACTED] of that [REDACTED]

6 b. [REDACTED] is a sex crimes investigator indicating that he does investigations of crimes  
7 involving children as victims where computers are used to perpetrate the crime (based on an  
8 interview of [REDACTED] on June 16, 2004 by the [REDACTED] at  
9 [REDACTED]

10 c. [REDACTED] is seeking compensation for the [REDACTED] office for the time and  
11 expenses of [REDACTED] although he said then said he would keep it open.

12 2. The defense would respectfully suggest that the court inquire of the following individuals  
13 who are certified En-Case experts:

- 14 [REDACTED]
- 15 [REDACTED]
- 16 [REDACTED]
- 17 [REDACTED]
- 18 [REDACTED]
- 19 [REDACTED]
- 20 [REDACTED]
- 21 [REDACTED]
- 22 [REDACTED]
- 23 [REDACTED]
- 24 [REDACTED]

25 //  
26 //  
27 //

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 3. The defense would further suggest that the cost of the expert chosen be paid by the  
8 prosecution or that the Court appoint the expert to assist the Court pursuant to Evidence Code  
9 Section 730 subject to appropriate compensation under Section 731. A computer/En-Case expert  
10 is, in fact, an expert who will be assisting the Court specifically within the meaning of Section  
11 730.

12 4. The defense, through a law clerk, has contacted the above experts to determine their  
13 availability but has not disclosed any information about the case itself. We would agree that the  
14 Court Research Attorney be permitted to contact each of these individuals or any others he might  
15 become aware of for the purpose of determining if they would accept the assignment and we  
16 would offer to (and do hereby) stipulate to such a procedure.

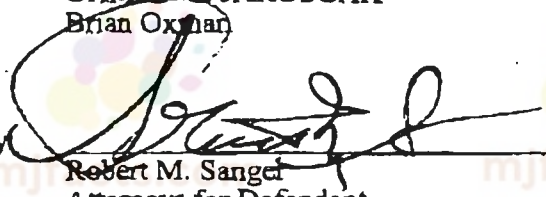
17 Dated: November 18, 2004

Respectfully submitted,

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

20 SANGER & SWYSEN  
Robert M. Sanger

21 OXMAN & JAROSCAK  
22 Brian Oxman

23  
24 By   
25 Robert M. Sanger  
26 Attorneys for Defendant  
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 November 19, 2004, I served the foregoing document **EX PARTE APPLICATION FOR ORDER THAT RESPONSE TO JUDGE'S INQUIRY BE SEALED; RESPONSE TO COURT'S INQUIRY REGARDING COMPUTER EXPERT and REDACTED VERSION** 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

**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

**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 November 19, 2004 at Santa Barbara, California.

  
Bobette J. Tryon