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1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 IN AND FOR THE COUNTY OF SANTA BARBARA  
3 SANTA MARIA BRANCH; COOK STREET DIVISION  
4 DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

5

6

7 THE PEOPLE OF THE STATE OF )

8 CALIFORNIA, )

9 Plaintiff, )

10 -vs- ) No. 1133603

11 MICHAEL JOE JACKSON, )

12 Defendant. )

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14

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16

17 REPORTER'S TRANSCRIPT OF PROCEEDINGS

18

19 FRIDAY, APRIL 15, 2005

20

21 8:30 A.M.

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23 (PAGES 6375 THROUGH 6418)

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27 REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

28 BY: Official Court Reporter 6375

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1 I N D E X

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3 Note: Mr. Sneddon is listed as "SN" on index.

4 Mr. Zonen is listed as "Z" on index. Mr. Auchincloss is listed as "A"  
on index.

5 Mr. Mesereau is listed as "M" on index. Ms. Yu is listed as "Y" on  
index.

6 Mr. Sanger is listed as "SA" on index. Mr. Oxman is listed as "O" on  
index.

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9 PLAINTIFF'S WITNESSES DIRECT CROSS REDIRECT RECROSS

10 11 JACKSON, Janet 6379-Z 6399-M (Contd.)

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1 E X H I B I T S

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3 FOR IN PLAINTIFF'S NO. DESCRIPTION I.D. EVID.

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5 815 DVD 6383 6398

6 816 DVD 6388 6398

7 817 DVD 6393 6398

8 818 DVD 6396 6398

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1 Santa Maria, California

2 Friday, April 15, 2005

3 8:30 a.m.

4

5 THE COURT: Good morning, everyone.

6 THE JURY: (In unison) Good morning.

7 COUNSEL AT COUNSEL TABLE: (In unison)

8 Good morning.

9 THE COURT: Counsel, you may proceed.

10 MR. ZONEN: Thank you, Your Honor.

11

12 JANET JACKSON

13 Having been previously sworn, resumed the

14 stand and testified further as follows:

15

16 DIRECT EXAMINATION (Continued)

17 BY MR. ZONEN:

18 Q. Miss Arvizo, good morning.

19 A. Good morning.

20 THE BAILIFF: Do you have your microphone

21 on?

22 Q. BY MR. ZONEN: Miss Arvizo, good morning.

23 A. Good morning.

24 Q. Yesterday I asked a few questions about your

25 testimony with regards to your being followed at

26 times. Did you ever see people actually filming

27 you?

28 A. Yes. 6379

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1 Q. Do you remember where and when you saw  
2 people filming you?

3 A. At Jay's home. My children's school. At  
4 church. Everywhere.

5 Q. And I had asked you if you recognized any of  
6 those people. Did you recognize any of those  
7 people?

8 A. Yes, I did.

9 Q. And could you tell us the names of any of  
10 the people you saw?

11 A. One of them was Johnny, and I think one  
12 other time was Asaf, and then there was one to three  
13 people. And then after we left, permanently left  
14 Neverland, that's the first time I ever saw a  
15 female, in addition to a group of males.

16 Q. Prior to coming into court today, on a  
17 couple of different occasions did you have an  
18 opportunity to view videotapes of different persons  
19 being filmed out on the street and at other  
20 locations?

21 A. Yes, I did.

22 Q. Did you recognize the people who are the  
23 subject of those films?

24 A. I sure did.

25 Q. And who were they?

26 A. My mom, my dad, my daughter.

27 Q. Davellin?

28 A. Davellin. My boys, Gavin and Star. And my 6380

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1 now husband Jay Jackson.

2 MR. ZONEN: And, Your Honor, we're prepared

3 to play it at this time.

4 THE WITNESS: And myself.

5 Q. BY MR. ZONEN: You were among them?

6 A. Yes.

7 THE COURT: All right.

8 MR. ZONEN: We need a moment. Excuse me.

9 Just one moment. Your Honor, I'm sorry, we need to

10 reboot the computer. It's going to take a moment.

11 THE COURT: What's the exhibit number on

12 this?

13 MR. ZONEN: I'm going to withdraw the other

14 exhibit, the DVD, and we're going to do this as

15 three separate DVDs.

16 THE COURT: Actually, I don't think you can

17 withdraw it. There were objections made concerning

18 it. It will have to remain in evidence.

19 MR. ZONEN: That's fine.

20 THE COURT: Not in evidence, but it will

21 have to remain as an exhibit. Not in evidence.

22 MR. ZONEN: All right. Then we'll simply

23 give three new exhibit numbers to these three DVDs.

24 THE COURT: While that's being done, could I

25 ask counsel to, each of you, file a response to the

26 special master's report Monday so that I know what

27 your positions are on that?

28 MR. MESEREAU: Yes, Your Honor. 6381

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1 THE COURT: And a response from the defense  
2 to the supplemental motion that was served on me  
3 today, probably due today.

4 MR. MESEREAU: I have not seen that, Your  
5 Honor.

6 MR. SANGER: We received a motion this  
7 morning. Is that what you're referring to?

8 THE COURT: Yes.

9 MR. SANGER: Is that what you're referring  
10 to?

11 THE COURT: They can't hear you.

12 MR. SANGER: We received a motion this  
13 morning, if that's what you're referring to.

14 THE COURT: Yes. You might respond to that  
15 by Monday also.

16 MR. SANGER: Monday at 3:00.

17 THE COURT: At what?

18 MR. SANGER: At 3:00. Or Monday morning at  
19 8:00?

20 THE COURT: Yes. That would be good.

21 MR. ZONEN: Your Honor --

22 THE COURT: You ready?

23 MR. ZONEN: Almost.

24 MR. AUCHINCLOSS: Some technical

25 difficulties. I think what we'll try to do, Your  
26 Honor, is play it on the DVD player, so we'd ask you  
27 to go to "Input 4."

28 BAILIFF CORTEZ: Sir, your microphone's off. 6382

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1 MR. ZONEN: We also have the VCR here. We  
2 can do it on that. Either way we'll be able to do  
3 it this morning, if the computer doesn't work.  
4 In the meantime, could I wrap up a little  
5 bit of old business? Exhibits 809 and 810 that are  
6 already in evidence are tapes in the form of a DVD  
7 and a CD -- CV -- CD. And the Court was waiting for  
8 transcripts from the People. We have those  
9 transcripts and they are now numbered 809-A and  
10 810-A, and a copy has been furnished to the defense.

11 I'll submit that to the Court at this time.

12 THE COURT: All right. And you're offering  
13 809 at this time?

14 MR. ZONEN: 809 is not in evidence. We are  
15 offering it into evidence. That's right.

16 THE COURT: All right. That's admitted.

17 And 814, did you mention that?

18 THE CLERK: 814 is the one that had writing  
19 on the back. They were going to do it later.

20 MR. AUCHINCLOSS: Can we go to "Input 1" --  
21 or "Input 4," Your Honor?

22 (Whereupon, a portion of a DVD, Plaintiff's  
23 Exhibit No. 815, was played for the Court and jury.)

24 Q. BY MR. ZONEN: Miss Arvizo, we've now --  
25 this frame is stalled at this spot here. Can you  
26 tell us what we're looking at?

27 A. You're looking at my mom's house.

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28 Q. This is in El Monte? 6383

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1 A. This is in El Monte.

2 Q. All right. The building -- the front  
3 portion of the building -- do you have the laser?

4 This front portion, is this portion your  
5 parents' house, as well?

6 A. Yes, it is.

7 Q. What is it?

8 A. That's the garage area.

9 Q. That's a gate that's in front of the house  
10 along here?

11 A. Yes.

12 MR. ZONEN: All right. Let's go ahead and  
13 proceed.

14 Excuse me just one second before we start.

15 MR. AUCHINCLOSS: It just went dark. But I  
16 can back it up.

17 MR. ZONEN: Let's start here.

18 Q. On February 14 of '03, do you know where you  
19 were on that day?

20 A. I think -- to my best estimate, I think I  
21 was already at my mom's house. I think that, to my  
22 best estimate, is when Jesus had brought me back.

23 MR. ZONEN: Okay. Let's go ahead and  
24 advance it.

25 THE WITNESS: And notice the time. 6:40 a.m.

26 MR. MESEREAU: Objection.

27 THE COURT: Sustained. No question pending.

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28 Q. BY MR. ZONEN: All right. This is still 6384

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1 your parents' house?

2 A. This is still my parents' home.

3 Q. And the last entrance on there was 10:35

4 a.m.?

5 A. Yes.

6 Q. All right.

7 THE COURT: Just for the record, what number

8 is the exhibit you're showing now?

9 MR. ZONEN: 815, Your Honor. This is 815.

10 Q. BY MR. ZONEN: Do you now recognize the

11 picture that you're looking at?

12 A. By the shape of the tree, the shape of the

13 top of the garage and the white area above the

14 garage door, that's my mother's home. This is after

15 my -- Jesus had brought us back.

16 Q. And the -- on this frame are the words and

17 numbers February 15, '03, 6:09 a.m.

18 Go ahead.

19 (Whereupon, a portion of a DVD, Exhibit 815,

20 was played for the Court and jury.)

21 MR. ZONEN: Go ahead and stop.

22 Q. This frame now reads February 15, '03, 1:04

23 p.m. Miss Arvizo, what are we looking at right now?

24 A. You're looking at my parents' home from a

25 different angle. And this is still my best estimate

26 from when Jesus helped me and my children come out

27 of Neverland.

28 Q. The building that we're looking at right 6385

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1 now - and I'm pointing with the laser in front - is  
2 that the garage?

3 A. Yes, it is.

4 Q. And your parents' residence over here to the  
5 left?

6 A. Yes, that is the complete home.

7 Q. All right. And the entryway into the -- is  
8 from the garage over here?

9 A. No. This way.

10 Q. Over this way?

11 A. Yes.

12 Q. On this side, to the left is the garage?

13 A. Yes, it is.

14 (Whereupon, a portion of a DVD, Exhibit 815,  
15 was played for the Court and jury.)

16 Q. BY MR. ZONEN: Now, this says in the lower  
17 right February 15, '03, 3:07 p.m. And what are we  
18 looking at here?

19 A. You are still looking at my parents' home.

20 Q. There's the one right there.

21 A. Okay.

22 Q. Show us, please, where your parents' house  
23 is.

24 A. This is -- right here is the door, my  
25 parents' front door. Right here.

26 Q. The red car that we see in the driveway, is  
27 that --

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28 A. That is the neighbor's car. 6386

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1 Q. And your parents' garage, can you see it?

2 A. It's right here. Here's the white of the  
3 top of the front of the garage. There's the garage  
4 door. You walk around this way, and right there is  
5 the front door.

6 MR. ZONEN: Okay. Go ahead.

7 (Whereupon, a portion of a DVD, Exhibit 815,  
8 was played for the Court and jury.)

9 Q. BY MR. ZONEN: Who is this person?

10 A. This is my father.

11 Q. And go ahead and point the laser so we can  
12 see where he is.

13 A. And I think --

14 MR. ZONEN: Advance it a little bit.

15 THE WITNESS: Right -- right there.

16 MR. ZONEN: Okay. Go ahead.

17 (Whereupon, a portion of a DVD, Exhibit 815,  
18 was played for the Court and jury.)

19 MR. ZONEN: Stop right there.

20 Q. That person walking by, who is that?

21 A. This is my mother.

22 Q. And right now we're looking at the lower  
23 right-hand corner of the frame, it says February 15,  
24 '03, 3:51 p.m.

25 Go ahead.

26 (Whereupon, a portion of a DVD, Exhibit 815,  
27 was played for the Court and jury.)

28 MR. ZONEN: Stop right there. 6387

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1 Q. We're looking at a new frame that says  
2 February 15, '03, 8:12 p.m. Do you recognize the  
3 subject matter of what you're able to see?

4 A. Yes, I do.

5 Q. What is that, please?

6 A. This is now the underground parking of Jay's  
7 apartment building.

8 Q. Is that the one on St. Andrews?

9 A. Yes, it is.

10 MR. ZONEN: Your Honor, we're going to  
11 change tapes at this time.

12 The next tape, Your Honor, is 816.

13 THE COURT: 816?

14 MR. ZONEN: Yes.

15 MR. AUCHINCLOSS: Can we go to "Input 4,"

16 Your Honor? Or "Input" -- yes, "Input 4."

17 Thank you.

18 (Whereupon, a portion of a CD, Plaintiff's  
19 Exhibit No. 816, was played for the Court and jury.)

20 Q. BY MR. ZONEN: This now says February 19,  
21 '03, at 5:56 p.m. Whose car is that?

22 A. This is Jay Jackson's car, my husband.

23 Q. Can you tell who's driving?

24 A. This is my husband who's driving.

25 Q. And the location now?

26 A. This is the underground parking of Jay's  
27 apartment on St. Andrews.

28 MR. ZONEN: Go ahead. 6388

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1 (Whereupon, a portion of a CD, Plaintiff's  
2 Exhibit No. 816, was played for the Court and jury.)

3 MR. ZONEN: Stop it.

4 Q. We're now looking at a frame that reads  
5 February 19th, '03, at 6:01 p.m. Can you tell what  
6 we're looking at here?

7 A. Yes, you're looking at my husband Jay  
8 Jackson.

9 Q. Do you know where he is? Can you tell?

10 A. He is in an area called Larchmont. It's  
11 in -- there's different -- it's kind of like a --  
12 different eating places. Different -- a marketplace  
13 in Larchmont. Near where Jay Jackson used to live.

14 Q. It's in Los Angeles?

15 A. Yes, it is.

16 (Whereupon, a portion of a DVD, Exhibit 816,  
17 was played for the Court and jury.)

18 Q. BY MR. ZONEN: Let me stop at this moment  
19 and ask you a question.

20 A. Yes.

21 Q. I believe that you had testified before that  
22 it was at the end of the day of the 19th that you  
23 went to Calabasas for the video; is that correct?

24 A. That is correct.

25 Q. Do you know where you were at approximately  
26 six o'clock in the evening?

27 A. I was inside Jay's apartment.

28 MR. ZONEN: Go ahead. 6389

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1 (Whereupon, a portion of a CD, Plaintiff's  
2 Exhibit No. 816, was played for the Court and jury.)

3 Q. BY MR. ZONEN: Are we still following your  
4 husband?

5 A. Yes, you are still -- they're still  
6 following my husband.

7 MR. ZONEN: Okay.

8 (Whereupon, a portion of a CD, Plaintiff's  
9 Exhibit No. 816, was played for the Court and jury.)

10 Q. BY MR. ZONEN: The frame that we've stopped  
11 is February 21, '03, 2:04 p.m. Tell us who we're  
12 looking at here.

13 A. This is me and --

14 Q. Hold on a second.

15 The question is simply, who are we looking  
16 at? That's you; is that right?

17 A. Yes.

18 Q. And do you have a recollection of having a  
19 conversation with somebody in a Range Rover on that  
20 day?

21 A. Yes, I do.

22 Q. With whom did you have a conversation?

23 A. I had a conversation with Miss Karen Walker.

24 Q. And Karen Walker you identified previously  
25 as the social worker?

26 A. Yes.

27 Q. Do you remember the nature of that

28 conversation? 6390

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1 A. Yes, I do.

2 Q. Now, was it your testimony previously that

3 Vinnie was somewhere in that area?

4 A. Yes.

5 MR. ZONEN: Go ahead and play.

6 (Whereupon, a portion of a DVD, Plaintiff's

7 Exhibit No. 816, was played for the Court and jury.)

8 MR. ZONEN: Stop.

9 Q. Miss Arvizo, who is that?

10 A. This is Vinnie.

11 Q. All right. We're now where it says February

12 21, '03, at 2:04 p.m. And the timeline on the lower

13 left of this frame reads 11:33:11.

14 (Whereupon, a portion of a DVD, Exhibit 816,

15 was played for the Court and jury.)

16 Q. BY MR. ZONEN: Is that Vinnie?

17 A. This is Vinnie.

18 Q. And this reads 11:45:29 is the time segment

19 on the lower left-hand side, February 23 at 2:04

20 p.m.

21 Go ahead.

22 (Whereupon, a portion of a CD, Plaintiff's

23 Exhibit No. 816, was played for the Court and jury.)

24 MR. ZONEN: Stop just a second.

25 Q. We're now at February 21, '03, at 3:05 p.m.

26 It reads the time is 11:50:18. Can you tell us what

27 we're looking at right here?

28 A. Yes, I can. 6391

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1 Q. What is this?

2 A. This is the vehicle that I was in with  
3 Vinnie. I remember the -- that little light thing  
4 going across. And I remember the seat being above  
5 me. And that's Vinnie's hair on top of --

6 Q. Go ahead and show us with the laser Vinnie's  
7 hair. And then -- are you in the seat?

8 A. Right there. I'm in there. But the seat's  
9 higher than me.

10 MR. ZONEN: Okay. Go ahead.

11 (Whereupon, a portion of a CD, Plaintiff's  
12 Exhibit No. 816, was played for the Court and jury.)

13 Q. BY MR. ZONEN: Santa Monica Boulevard is  
14 what's now showing, the street sign; is that  
15 correct?

16 A. That is correct.

17 Q. And do you remember being on Santa Monica  
18 Boulevard?

19 A. Yes.

20 MR. ZONEN: Go ahead.

21 (Whereupon, a portion of a DVD, Plaintiff's  
22 Exhibit No. 816, was played for the Court and jury.)

23 Q. BY MR. ZONEN: Who is that?

24 A. This is me. And in the vehicle is Vinnie.

25 Q. Vinnie's driving and you're getting in?

26 A. Yes.

27 Q. And this is on the 21st of February, '03?

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28 A. Yes. 6392

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1 Q. And the time reads at 4:15 p.m.

2 Go ahead.

3 (Whereupon, a portion of a DVD, Plaintiff's  
4 Exhibit No. 816, was played for the Court and jury.)

5 MR. ZONEN: Stop.

6 Q. Are you in that frame?

7 A. I'm right here. This is Vinnie right there.

8 This is Vinnie right there. And I'm right behind

9 this man. Right there. You can actually see us

10 walking up behind this couple.

11 Q. That couple have nothing to do with you?

12 A. This couple has nothing to do with me.

13 MR. ZONEN: All right. Go ahead. Or, hold

14 it.

15 Q. Do you know where you are at this point?

16 A. At this moment I don't know where we're at.

17 Q. Or on what street?

18 A. I don't remember.

19 MR. ZONEN: Okay. Go ahead.

20 (Whereupon, a portion of a DVD, Exhibit 816,

21 was played for the Court and jury.)

22 MR. ZONEN: Your Honor, the next tape we're

23 going to look at is 817.

24 THE COURT: All right.

25 (Whereupon, a portion of a DVD, Exhibit 817,

26 was played for the Court and jury.)

27 Q. BY MR. ZONEN: It reads March 17, '03, at

28 2:02 p.m. Can you tell us what we're looking at 6393

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1 right now?

2 A. Yes, I can.

3 Q. And what are we looking at?

4 A. This is my daughter. And beyond that is my  
5 parents' home.

6 Q. Show us where your daughter is in the  
7 picture.

8 And the home?

9 Now, where would you and your family have

10 been on March 17, '03?

11 A. On March 17, '03, my boys, myself, are with

12 Jay. My daughter is with my parents. We have  
13 permanently now left Neverland.

14 MR. ZONEN: Okay.

15 (Whereupon, a portion of a DVD, Plaintiff's  
16 Exhibit No. 817, was played for the Court and jury.)

17 Q. BY MR. ZONEN: This is a close-up of your  
18 daughter looking back; is that right?

19 A. That is correct.

20 Q. And show us the house where she's going to.

21 A. It's right here. Right here.

22 Q. Is 2:02 about the time that she'd be  
23 arriving back at school?

24 A. Yes, it is. I enrolled my daughter and my  
25 sons almost immediately into school.

26 Q. She's wearing a backpack. Is that the type  
27 of backpack she traditionally took to school?

28 A. That is correct. 6394

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1 MR. ZONEN: Go ahead.

2 (Whereupon, a portion of a DVD, Plaintiff's  
3 Exhibit No. 817, was played for the Court and jury.)

4 Q. BY MR. ZONEN: And she's looking back a  
5 second time; is that correct?

6 A. Yes, she is looking back and she looks  
7 frightened.

8 MR. MESEREAU: Objection; move to strike her  
9 comments.

10 THE COURT: Stricken.

11 (Whereupon, a portion of a DVD, Plaintiff's  
12 Exhibit No. 817, was played for the Court and jury.)

13 Q. BY MR. ZONEN: Is that the name of the  
14 street that your parents' home is on?

15 A. This is the name of the street my parents  
16 live on.

17 MR. ZONEN: We have a fourth tape as well.

18 Q. Miss Arvizo, did you have an opportunity to  
19 take a look at a tape of the cleaning and moving of  
20 materials from a residence?

21 A. Yes.

22 Q. Did you recognize the residence?

23 A. Yes.

24 Q. Whose residence was it?

25 A. It used to be my apartment.

26 Q. Is that the Soto Street address?

27 A. It is the Soto Street address.

28 Q. And the items that were being packed up, to 6395

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1 the extent that there were still items left, did you  
2 recognize those items?

3 A. Yes, I did recognize them.

4 Q. Whose items were those?

5 A. They're mine.

6 Q. Of any of the people who appear at any time  
7 in that film, did you recognize any of them?

8 A. I did recognize someone to be, I think,  
9 Asaf.

10 Q. Was he the one who is the photographer or  
11 the videographer?

12 A. Asaf is the one who did the tape-recording  
13 of the Department of Child Family Services.

14 Q. Hold on a second.

15 The question is, in the course of the --

16 A. Oh.

17 Q. -- the film that you saw previously, you're  
18 about to see --

19 A. Oh, okay.

20 Q. -- is he the one holding the camera?

21 A. That is correct.

22 Q. At one moment he appears in a mirror, is  
23 that correct?

24 A. Yes, he is.

25 MR. ZONEN: Let's go ahead and play this  
26 one.

27 (Whereupon, a portion of a DVD, Plaintiff's

28 Exhibit No. 818, was played for the Court and jury.) 6396

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1 Q. BY MR. ZONEN: Which room is that?

2 A. This is our room that me and my children and  
3 my ex-husband used to live in.

4 Q. And sleep?

5 A. And sleep in.

6 MR. ZONEN: Go ahead.

7 THE COURT: Is this 818?

8 MR. ZONEN: Yes, Your Honor.

9 (Whereupon, a portion of a DVD, Plaintiff's

10 Exhibit No. 818, was played for the Court and jury.)

11 Q. BY MR. ZONEN: Is that the picture that you  
12 saw before?

13 A. Yes, it is.

14 Q. And at some point, were you able to hear his  
15 voice as well?

16 A. Yes.

17 MR. ZONEN: Let's resume.

18 (Whereupon, a portion of a DVD, Plaintiff's

19 Exhibit No. 818, was played for the Court and jury.)

20 Q. BY MR. ZONEN: Was that Asaf's voice?

21 A. That is Asaf's voice.

22 Q. The deeper voice?

23 A. Yes, it is.

24 MR. ZONEN: All right.

25 (Whereupon, a portion of a DVD, Plaintiff's

26 Exhibit No. 818, was played for the Court and jury.)

27 MR. ZONEN: Your Honor, I have no further

28 questions. 6397

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1 THE COURT: Cross-examine?

2 MR. MESEREAU: Yes, please, Your Honor.

3 THE COURT: That was Exhibit 118.

4 THE CLERK: 818.

5 THE COURT: 818. Are you offering that,

6 or --

7 MR. ZONEN: I'm sorry, Your Honor?

8 THE COURT: Are those exhibits being

9 offered?

10 MR. ZONEN: Yes, they are, Your Honor. The

11 numbers are 815, 816, 817 and 818.

12 MR. MESEREAU: Thank you, Your Honor.

13 THE COURT: Are there any objections to those

14 exhibits?

15 MR. MESEREAU: No objection at all.

16 THE COURT: All right. They're admitted.

17 MR. MESEREAU: Your Honor, Mr. Sanger is

18 obtaining the tape of the phone conversation between

19 Miss Arvizo and Frank Cascio, and I'm going to begin

20 with that.

21 And also, the prosecutor lodged a transcript

22 with the Court this morning of that phone

23 conversation, which, with the Court's permission,

24 I'd like to hand to the witness as we play that

25 tape.

26 THE COURT: All right.

27 MR. MESEREAU: Thank you, Your Honor.

28 May I approach? 6398

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1 THE COURT: Yes.

2 The tape should be 809.

3

4 CROSS-EXAMINATION

5 BY MR. MESEREAU:

6 Q. Good morning, Miss Arvizo.

7 A. Good morning.

8 Q. Miss Arvizo, as you know, my name is Tom

9 Mesereau and I speak for Michael Jackson.

10 Now, you heard the prosecutor for the

11 government play a recorded phone conversation

12 between you and Mr. Frank Cascio, correct?

13 A. Yes.

14 Q. And you didn't know that conversation was

15 being recorded, correct?

16 A. No.

17 Q. And to your knowledge, it was probably

18 recorded by Mr. Cascio, correct?

19 MR. ZONEN: Objection; speculative.

20 THE COURT: Sustained. Foundation.

21 Q. BY MR. MESEREAU: Before it was played in

22 court, when did you last hear that recorded phone

23 conversation between you and Mr. Cascio?

24 A. I think it was during the grand jury. I

25 think that's when it was.

26 Q. And you have in front of you a transcript of

27 that phone conversation, correct?

28 A. Yes. 6399

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1 Q. Have you read any transcript of that phone  
2 conversation before today?

3 A. I think so.

4 Q. And who provided you with a transcript to  
5 read?

6 A. When I came -- the D.A.'s Office.

7 Q. At this point, Miss Arvizo, I'd like to play  
8 that recorded conversation for the jury, and at  
9 various points I'm going to ask my co-counsel, Mr.

10 Sanger, to stop the recording, and I'm going to ask  
11 you questions about what Mr. Cascio says and about  
12 what you say. Okay?

13 A. Okay.

14 MR. MESEREAU: With the Court's permission,  
15 we'll play the phone conversation, Your Honor.

16 THE COURT: And this is Exhibit --

17 MR. SANGER: 809, Your Honor.

18 THE COURT: Okay.

19 THE WITNESS: And this is more than one  
20 conversation blended, put together.

21 MR. MESEREAU: I know your position.

22 THE WITNESS: Okay.

23 MR. MESEREAU: We'll go through it.

24 THE WITNESS: Okay.

25 THE BAILIFF: Are you on "Input 1," Your  
26 Honor?

27 Can you check that switch and make sure it's

28 over, the audio switch? 6400

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1 BAILIFF CORTEZ: I hear something.

2 THE BAILIFF: Is it where it was?

3 BAILIFF CORTEZ: No, it's just a little

4 bit --

5 THE BAILIFF: It should work.

6 BAILIFF CORTEZ: I hear it.

7 MR. SANGER: Is it going through the

8 microphone?

9 MR. MESEREAU: Start it again.

10 THE BAILIFF: I can turn it up here.

11 MR. SANGER: This happened last time. We

12 were told there was a switch up there, but....

13 One more try, Your Honor. I'm sorry.

14 THE BAILIFF: Did you plug it into the

15 defense?

16 MR. SANGER: It's plugged into the defense.

17 Plugged into the back. That's on. One, two, that's

18 on. We can play it again with the speakers.

19 THE COURT: I think that's the best thing to

20 do.

21 THE BAILIFF: They're coming right over.

22 MR. SANGER: Your Honor, I don't know if the

23 Court's willing to wait for just a moment. I hear

24 they're coming right away.

25 THE COURT: Would you like me to?

26 MR. SANGER: It would be a lot better to

27 hear it through the system, I think.

28 THE COURT: All right. We'll wait. 6401

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1 MR. SANGER: Thank you.

2 THE BAILIFF: We check this every day. They  
3 should be here any minute, Judge.

4 Q. BY MR. MESEREAU: While we're waiting, Miss  
5 Arvizo, let me ask you a few questions about what's  
6 said in this conversation.

7 You're telling the jury under oath, that you  
8 never wanted any kind of security provided to you by  
9 Frank, correct?

10 A. Yes.

11 Q. And you never made any statements to Frank  
12 that you needed any kind of protection, correct?

13 A. Uh-huh. That's correct.

14 Q. And when Frank offered you any type of  
15 security at your home, you always declined; is that  
16 correct?

17 A. That's correct.

18 Q. Because you never felt you needed any  
19 security of any kind from him, right?

20 A. No, what I said was I didn't want my parents  
21 to be scared.

22 Q. Are you telling the jury you didn't want any  
23 security from Frank?

24 A. That's correct.

25 Q. And in no conversation with him did you ever  
26 say anything to that effect, right?

27 A. That's how I feel.

28 Q. And did you ever tell Frank that your home 6402

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1 was being, in effect, bombarded by media people?

2 A. This was after a conversation with him.

3 Q. Did you ever tell Frank your home was, in

4 effect, being bombarded by media people?

5 A. Yes, because I believed them after they had

6 told me, and, yes, I saw it for my own self in my

7 parents' home.

8 Q. So you saw media people bombarding your

9 home?

10 A. Yes. With all the mail that was left on the

11 table.

12 Q. And did you ever tell anything like that to

13 Frank?

14 A. Yes, I did.

15 Q. Okay.

16 THE COURT: Would you pause so they can try

17 to....

18 (Discussion held off the record.)

19 MR. SANGER: May I try it just to --

20 THE COURT: Yes.

21 MR. SANGER: Thank you very much.

22 MR. MESEREAU: I think we're all set, Your

23 Honor. Thank you.

24 THE COURT: All right. Go ahead.

25 Q. BY MR. MESEREAU: Miss Arvizo, do you recall

26 telling Frank with respect to the rebuttal interview

27 with you and your family that the Germans only want

28 you to talk about one charitable act of Michael, but 6403

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1 you want to talk about more than that?

2 A. What is your question?

3 Q. Do you recall telling Frank that you didn't  
4 like what the Germans were asking you to say on the  
5 rebuttal video, because they only wanted you to talk  
6 about one charitable act of Michael and you wanted  
7 to talk about much more than that?

8 A. That's incorrect.

9 MR MESEREAU: Okay. Could we play the --

10 THE WITNESS: There's more than that.

11 MR. MESEREAU: I understand. You'll have  
12 your chance to talk about it.

13 MR. SANGER: Ready?

14 MR. MESEREAU: Yes.

15 THE WITNESS: Because they wanted me to do a  
16 choreograph that me and Michael had done a charity  
17 act to German orphans. And I wasn't going to do  
18 that, to say that that had happened.

19 MR. MESEREAU: At this time we're going to  
20 play the conversation, Your Honor. Thank you.

21 (Whereupon, a portion of a CD, Plaintiff's  
22 Exhibit 809, was played for the Court and jury.)

23 Q. BY MR. MESEREAU: Now, you're telling Frank  
24 that you love his family, correct?

25 A. Yes.

26 Q. You're telling Frank that, in effect, "We're  
27 all family," right?

28 A. Yes. Because of Michael's initial 6404

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1 lovey-dovey meeting.

2 Q. Just please answer my question, Miss Arvizo.

3 The prosecutor will then ask you whatever he wants.

4 I just want direct answers to my questions, all

5 right? Is that all right with you?

6 A. If you could simplify the questions, that

7 would be easier for me.

8 Q. I will try to make them as clear as I can.

9 And if you don't understand, don't answer me. Just

10 ask me to try and restate it. Okay?

11 A. Okay. That's fair enough.

12 Q. You told Frank Cascio in this conversation,

13 "We're all family," true?

14 A. I said, "It's like we're family." True.

15 Q. Did that mean in your mind that your family,

16 Frank's family, and Mr. Jackson's family were all

17 united?

18 A. Let me see. It says right here, "I love you

19 so much. You don't know how much I love your little

20 sister and your little brother." That's what it

21 said.

22 Q. And then later on, it says, "It's like we're

23 family, you know, Frank?"

24 A. Yeah.

25 Q. Okay.

26 A. "Like we're family."

27 Q. And when you said that you meant it, true?

28 A. Yes, I believed what he said in the initial 6405

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1 meeting in Miami.

2 Q. I understand, it all comes from Miami,

3 correct?

4 A. Correct.

5 Q. Doesn't come from your being at Neverland

6 with the Cascio family, does it?

7 A. No.

8 Q. Were you ever at Neverland with the Cascio

9 family?

10 A. With the whole entire family? No.

11 Q. With the children?

12 A. With the children, no, never before at

13 Neverland, before Miami.

14 Q. So one trip to Miami and you're calling

15 everyone family, correct?

16 A. Correct.

17 MR. MESEREAU: Okay. Let's keep going.

18 (Whereupon, a portion of a CD, Plaintiff's

19 Exhibit No. 809, was played for the Court and jury.)

20 Q. BY MR. MESEREAU: Now, you say to Frank,

21 "It's like we're family, you know, Frank?" And he

22 says, "I know. And you say, "You know. And people

23 don't understand that," correct?

24 A. Correct.

25 Q. And when you said, "People don't understand

26 that," what did you mean?

27 A. Well, I thought they were honest people.

28 And, for example, people 50 and over have a tender 6406

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1 spot in my heart, and so it's loving someone without  
2 knowing them. That's what I mean.

3 Q. So what you're saying is in your mind you  
4 were family with the Cascios because you loved them  
5 without knowing them; is that correct?

6 A. Correct.

7 MR. MESEREAU: Okay.

8 (Whereupon, a portion of a CD, Plaintiff's  
9 Exhibit No. 809, was played for the Court and jury.)

10 Q. BY MR. MESEREAU: Now, you say, "It's like  
11 crazy here." Do you see that?

12 A. I said, it goes, "Um, (inaudible), bleep,  
13 are like crazy here," so I really couldn't tell you  
14 what was before there.

15 Q. Let's go two lines down.

16 A. Okay.

17 (Whereupon, a portion of a CD, Plaintiff's  
18 Exhibit No. 809, was played for the Court and jury.)

19 Q. BY MR. MESEREAU: You say to Frank, "Are  
20 like crazy here," And he says, "Who?"

21 And you say, "The reporters and stuff."

22 Right?

23 A. Correct.

24 Q. And please tell the jury what you're talking  
25 about.

26 A. Well, in my mom's table, when I arrived from  
27 Neverland, from Jesus helping me, there was a table

28 filled with offers, many different offers requesting 6407

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1 interviews, some people offering cars, to various  
2 denominations, and just a variety of things. And  
3 the phone ringing over and over and over.

4 Q. Okay. And people were coming to your house,  
5 true?

6 A. And some -- some of the reporters just  
7 wanted to talk. But it was all there.

8 Q. They were looking for you at times, correct?

9 A. Mostly my children. Mostly Gavin  
10 specifically.

11 MR. MESEREAU: Okay. Let's keep going.

12 (Whereupon, a portion of a CD, Plaintiff's  
13 Exhibit No. 809, was played for the Court and jury.)

14 Q. BY MR. MESEREAU: Now, you're talking to  
15 Frank after you say Chris took you and, "Jesus  
16 helped me leave," correct?

17 A. Correct.

18 Q. So the things you're saying to Frank on this  
19 tape --

20 A. Has been manipulated.

21 Q. Oh, I understand your position, because  
22 we'll go through that.

23 A. Okay.

24 Q. And what you're saying is you've had someone  
25 look at this tape and decide it's all been jumbled  
26 up together; right? Is that your position?

27 A. My position is I had the conversation. I

28 know when I left, the first time I left with Jesus, 6408

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1 the second time I left with Chris, two different  
2 events.

3 Q. Okay.

4 A. That's why I know.

5 Q. But what you say is, Ya know, ya know,  
6 Frank, when I asked to leave on Sunday night," and  
7 then Frank coughs, and then it's inaudible, and it  
8 says, "And, ah, Chris took me and, ah, Jesus helped  
9 me leave." Do you see that?

10 A. Yes, I do.

11 Q. And obviously this conversation is happening  
12 after Jesus helps you leave?

13 A. Correct.

14 Q. And it's after Chris helped you, correct?

15 A. No.

16 Q. Why did you say then, "Chris took me and  
17 then Jesus helped me leave"?

18 A. Because Chris -- this tape has been  
19 manipulated. But also on that day -- Chris was the  
20 one who took me to go do the leg wax.

21 Q. Okay. Now, Chris was part of Michael  
22 Jackson's personal security group at Neverland,  
23 true?

24 A. Correct. His personal bodyguard.

25 Q. Yes. He's the one who took you for a body  
26 wax, correct?

27 A. Incorrect.

28 Q. Who took you for a body wax? 6409

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1 A. No one ever.

2 Q. Well, you went for a body wax when you were  
3 at Neverland, did you not?

4 A. Inaccurate.

5 Q. Never did it?

6 A. Never did it.

7 Q. Never went to a salon in Los Olivos and met  
8 someone there who treated you, correct?

9 A. I had a leg wax done.

10 Q. In Los Olivos?

11 A. In Los Olivos.

12 Q. And that was the day you claim Jesus helped  
13 you escape from Neverland, true?

14 A. That was the day that the Germans said that  
15 they wanted to do positive PR for Michael. And I  
16 figured this is what they have and that's it. I  
17 could go now and it was still a no.

18 Q. The body wax you had in Los Olivos was the  
19 day that you claim Jesus helped you escape from  
20 Neverland, true?

21 A. His statement is inaccurate. He keeps  
22 continuously saying "body wax." There is no body  
23 wax.

24 Q. What did you have at the salon in Los Olivos  
25 on the day you claim you escaped from Neverland?

26 A. A leg wax.

27 Q. Okay. Okay. And how did you get to the

28 salon to have the leg wax? 6410

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1 A. I didn't get them to do anything. They had  
2 already arranged it, the Germans, for their positive  
3 PR for Michael. With the film crew following us.

4 Q. How did you get to the salon in Los Olivos  
5 from Neverland to have your leg wax?

6 A. Chris took me.

7 Q. So when you say, "And, ah, Chris took me,  
8 and, ah, Jesus helped me leave," you're talking  
9 about Chris, who is part of Mr. Jackson's security  
10 detail, taking you to Los Olivos to the salon,  
11 right?

12 A. For Michael's positive PR.

13 Q. I understand what your position is, but I'm  
14 asking you a direct question.

15 On the day you claim Jesus helped you escape  
16 from Neverland, that's the same day Chris took you  
17 to a salon in Los Olivos for a leg wax, correct?

18 A. Well, if he wants to get that technical, it  
19 was the next day, because it was closer to 1 a.m.

20 Q. Well, how do you escape from Neverland with  
21 Jesus and then have Chris take you for a leg wax?

22 A. Chris took me to have a leg wax in the  
23 afternoon. After midnight, about 1 a.m., is when  
24 Jesus helped me and my children leave.

25 Q. Okay. And to --

26 A. The next day.

27 Q. -- to get back to my initial point, this

28 phone conversation is happening after you say Jesus 6411

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1 helped you leave from Neverland, isn't it?

2 A. These multiple conversations are happening  
3 after Jesus helped me leave.

4 MR. MESEREAU: Okay. All right. Let's keep  
5 going.

6 (Whereupon, a portion of a CD, Plaintiff's  
7 Exhibit No. 809, was played for the Court and jury.)

8 Q. BY MR. MESEREAU: Now, you're telling Frank  
9 Cascio --

10 A. Just a moment, Mr. Mesereau. Where are we?

11 I'm trying to --

12 Q. We're on the third page.

13 A. Okay.

14 Q. Okay? There are no numbers on the lines,  
15 but we're on the third page. If you look about  
16 midway through --

17 A. Okay.

18 Q. -- you will see your comment, "And, ah,  
19 Chris took me, and ah, Jesus helped me leave." Do  
20 you see that?

21 A. Okay. But we played the tape a little bit  
22 further.

23 Q. Yes, we did. Yes, we did. And we've  
24 stopped two quotes down.

25 A. Okay.

26 Q. We stopped where it says, "And that's how I  
27 feel." Do you see that?

28 A. Oh, goodness gracious. 6412

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1 Q. Do you see it? Do you want me to point it  
2 out to you?

3 A. Please.

4 MR. MESEREAU: May I approach, Your Honor?

5 THE COURT: Yes.

6 THE WITNESS: Okay. Good. Thank you.

7 Q. BY MR. MESEREAU: You're talking to Mr.

8 Cascio after Jesus helped you leave, and you're

9 telling him, "My family, so as far as me and the

10 kids, we are family, and that's how I feel." Do you

11 see that?

12 A. Yes, it says, "My family" --

13 Q. Yes.

14 A. -- "(inaudible)," and then it says, "So as

15 far as me and the kids, we are family, inaudible,

16 and that's how I feel."

17 MR. MESEREAU: Okay. Let's keep going.

18 (Whereupon, a portion of a CD, Plaintiff's

19 Exhibit No. 809, was played for the Court and jury.)

20 Q. BY MR. MESEREAU: Now, Frank says to you,

21 "People out there are so evil." And you reply,

22 "Yes, yes, Frank, they are, they are."

23 He says to you, "They're so evil," and you

24 go, "Yes, I know, I know."

25 Right?

26 A. Correct.

27 MR. MESEREAU: Okay. Let's keep going.

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28 (Whereupon, a portion of a CD, Plaintiff's 6413

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1 Exhibit No. 809, was played for the Court and jury.)

2 Q. BY MR. MESEREAU: Now, you start to talk

3 about David, correct?

4 A. Yes.

5 Q. And you say, "They've been replaying over

6 and over the news over here and on the radio. The

7 father said making him so, so credible, you know,

8 even the father said. David -- he was -- there's

9 nine criminal charges for what he did to that kid,

10 you know. And for what he did to me. He doesn't

11 pay child support and, ah, he has a restraining

12 order to stay away from me and the kids."

13 Right?

14 A. Correct.

15 Q. And you're talking about your former husband

16 David Arvizo, right?

17 A. Correct.

18 Q. Okay. And you're talking about a criminal

19 case against him, right?

20 A. Correct.

21 Q. And that was a situation where the police

22 were notified, right?

23 A. Two different criminal cases that both he

24 pled guilty on 2001 and 2002.

25 Q. And one of them was an allegation that he

26 had molested Davellin, true?

27 A. Not an allegation. Information.

28 Q. Okay. But, I mean, he was -- you know, you 6414

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1 reported him to the police on a couple of occasions,  
2 true?

3 A. No. That was --

4 He's incorrect. I was there. He was  
5 arrested for domestic violence. In the process of  
6 being investigated for that, that's when they found  
7 out that there's more -- that this man had caused  
8 more harm not just on me, but also my children, and  
9 so that sparked an investigation on what he had done  
10 to my kids.

11 Q. And you did report him for having falsely  
12 imprisoned your family, true?

13 A. It was -- I give them the information and  
14 they did whatever they did with it.

15 Q. And you did report him for having molested  
16 Davellin, true?

17 A. They -- he's inaccurate. They asked a  
18 history about David, and the event he's referring to  
19 is something that happened way over ten years ago.

20 Q. Okay. In answer to my question, there was a  
21 report made that David had molested your daughter  
22 Davellin, true?

23 A. It was a one-sentence statement, and they  
24 were asking for the history of David.

25 Q. Was a report made that your former husband  
26 David had molested your daughter Davellin? Yes or  
27 no.

28 A. That was in the midst of all the information 6415

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1 that they were gathering about David, so, yes.

2 Q. Okay. Now, it mentions a restraining order,  
3 correct?

4 A. On which particular restraining order are we  
5 talking about?

6 Q. I'm going to ask you about that.

7 A. Okay.

8 Q. Did you get a number of restraining orders  
9 against your former husband David?

10 A. Yes, that were issued through the Family  
11 Court and the criminal courts.

12 Q. And how did you do that?

13 A. Well, when David was arrested for domestic  
14 violence finally, the criminal courts issued  
15 something that they do routinely, a restraining  
16 order.

17 Q. And at some point he was reported for having  
18 violated a restraining order, correct?

19 A. That is correct.

20 Q. And how did that happen? Please tell the  
21 jury how the case against him for violating a  
22 restraining order came about.

23 A. Well, my daughter came home, told me  
24 what happened. So then I called -- I let them  
25 know, the investigating officer, what had  
26 happened.

27 THE COURT: Counsel?

28 MR. MESEREAU: Yes, Your Honor. 6416

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1 THE COURT: Take our break.

2 (Recess taken.)

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1 REPORTER'S CERTIFICATE

2

3

4 THE PEOPLE OF THE STATE )

5 OF CALIFORNIA, )

6 Plaintiff, )

7 -vs- ) No. 1133603

8 MICHAEL JOE JACKSON, )

9 Defendant. )

10

11

12 I, MICHELE MATTSON McNEIL, RPR, CRR,

13 CSR #3304, Official Court Reporter, do hereby

14 certify:

15 That the foregoing pages 6379 through 6417

16 contain a true and correct transcript of the

17 proceedings had in the within and above-entitled

18 matter as by me taken down in shorthand writing at

19 said proceedings on April 15, 2005, and thereafter

20 reduced to typewriting by computer-aided

21 transcription under my direction.

22 DATED: Santa Maria, California,

23 April 15, 2005.

24

25

26

27 MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

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1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 IN AND FOR THE COUNTY OF SANTA BARBARA  
3 SANTA MARIA BRANCH; COOK STREET DIVISION  
4 DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

5

6

7 THE PEOPLE OF THE STATE OF )

8 CALIFORNIA, )

9 Plaintiff, )

10 -vs- ) No. 1133603

11 MICHAEL JOE JACKSON, )

12 Defendant. )

13

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17 REPORTER'S TRANSCRIPT OF PROCEEDINGS

18

19 FRIDAY, APRIL 15, 2005

20

21 8:30 A.M.

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23 (PAGES 6419 THROUGH 6542)

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27 REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

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21 (NOT PRESENT)

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1 I N D E X

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3 Note: Mr. Sneddon is listed as "SN" on index.

4 Mr. Zonen is listed as "Z" on index. Mr. Auchincloss is listed as "A"  
on index.

5 Mr. Mesereau is listed as "M" on index. Ms. Yu is listed as "Y" on  
index.

6 Mr. Sanger is listed as "SA" on index. Mr. Oxman is listed as "O" on  
index.

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9 PLAINTIFF'S WITNESSES DIRECT CROSS REDIRECT RECROSS

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11 JACKSON, Janet 6423-M

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1 E X H I B I T S

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3 FOR IN DEFENDANT'S NO. DESCRIPTION I.D. EVID.

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5 5007 Document prepared by the Sheriff's Department and

6 signed by Janet Arvizo December 18, 2003 6504

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1 THE COURT: Counsel?

2 MR. MESEREAU: Thank you, Your Honor.

3 Q. Miss Arvizo, we were talking about the  
4 domestic problems you had with David, okay? And you  
5 said that you had obtained two restraining orders  
6 against him at various times, right?

7 A. I didn't obtain them. It was through the  
8 court system that they were issued.

9 Q. One for the criminal court system, correct?

10 A. Which I think, as best I can remember, is  
11 that they routinely issue them.

12 Q. And one through the Family Court system; is  
13 that correct?

14 A. Correct. That my family attorney requested.

15 Q. And who was your family attorney at that  
16 point?

17 A. Mr. Michael Manning.

18 Q. Okay. And when the issue came up about  
19 David Arvizo violating a restraining order, you went  
20 to court, true?

21 A. No.

22 Q. Did you ever appear in court for any hearing  
23 involving allegations that David had violated a  
24 restraining order by talking to Davellin?

25 A. I think that was in the course of the --  
26 they didn't have a, what you're trying to say, that  
27 there was a separate issue. It wasn't a separate

28 issue. It was -- as best as I can recall, it was 6423

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1 within the midst of the domestic violence that he  
2 was arrested that he did upon me.

3 Q. And the violation of the restraining order  
4 that was alleged against him had to do with his  
5 showing up at school and talking to Davellin, true?

6 A. It had to do with the fact that he violated  
7 the restraining order.

8 Q. The violation of the restraining order had  
9 to do with David showing up at school and talking to  
10 Davellin, right?

11 MR. ZONEN: Your Honor, I'll object; lack of  
12 foundation.

13 THE COURT: Overruled.

14 You may answer.

15 THE WITNESS: David, a grown man, was given a  
16 restraining order, and he violated it.

17 Q. BY MR. MESEREAU: Let me repeat the question  
18 again. If it's not clear, tell me.

19 A. It's not clear.

20 Q. Okay. What was the nature of the violation?

21 A. What do you mean?

22 Q. Didn't David go to Davellin's school --

23 A. Yes.

24 Q. -- see Davellin outside of school and ask  
25 her to go into his car and talk to him?

26 A. He called -- my understanding, because I  
27 wasn't there -- the best who could explain it would

28 be Davellin. 6424

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1 Q. You don't know what happened?

2 A. I do know, but the best one who could  
3 explain it would be Davellin.

4 Q. What do you know about it, Miss Arvizo?

5 A. Okay, my understanding is that David had  
6 called her over into the car, and he wouldn't let  
7 her go until he finished his conversation with her  
8 and until he was satisfied. Then he let her go.  
9 That's my understanding. But the best one who could  
10 explain it is Davellin.

11 Q. You attended court with Davellin when there  
12 was a hearing with a judge on whether or not David  
13 had violated that restraining order, right?

14 A. Again, that was in the midst of the domestic  
15 violence that he had done upon me.

16 Q. Did you attend court when there was a  
17 hearing on whether or not David had violated the  
18 restraining order?

19 A. I think I understand what you're trying to  
20 say, but if not, please make me aware.

21 Q. Okay.

22 A. I feel that he is trying to say that I was  
23 present when these proceedings were happening in the  
24 midst of the domestic violence. That is inaccurate.  
25 She went behind a closed door with a judge,  
26 a court reporter, and a -- David, Mr. Halpern, his  
27 attorney. And that's where they had the hearing,

28 some kind of hearing, understanding, talking. I 6425

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1 don't know what that process would be called.

2 Because he had violated the restraining order.

3 Q. And you were in court that day, right?

4 A. They did it behind closed doors, in the  
5 judge's chambers, and I was not allowed to be  
6 present.

7 Q. You were in court that day, true?

8 A. I was in the courthouse, in the courtroom.

9 But in the judge's chambers when that took place,

10 I was not present. And there was a court reporter  
11 reporting everything there.

12 Q. And who was with you in court that day?

13 A. On that day was just -- it was me and  
14 Davellin, I think.

15 Q. Was Carol Lamir ever in court with you?

16 A. With me? No. She's my ex-husband's, David  
17 Arvizo's, best buddy.

18 Q. Was she ever in court with you for any  
19 proceeding involving domestic violence?

20 A. With me, never. But with David. David.

21 That's his girlfriend.

22 Q. Okay. Now, you've told the jury about your  
23 experience in obtaining restraining orders involving  
24 David, right?

25 A. I don't understand what you're trying to  
26 say.

27 Q. You've just told the jury about your history

28 of getting restraining orders against David, right? 6426

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1 A. Not history, not experience, but what  
2 happened after he committed these crimes.

3 Q. You never went to any court at any time and  
4 tried to get a restraining order against Mr. Jackson  
5 or anyone you thought was associated with him,  
6 right?

7 A. I was hoping it will just go all away. And  
8 Mr. Dickerman handled everything.

9 Q. You thought you were being falsely  
10 imprisoned, right?

11 A. Correct.

12 Q. You thought --

13 A. I didn't think it. I knew it.

14 Q. You thought you were being extorted, true?

15 A. What do you mean?

16 Q. Did you think you were the victim of  
17 extortion by Mr. Jackson or any people associated  
18 with him?

19 A. Please be more clear.

20 Q. Do you know what "extortion" means?

21 A. No, I don't.

22 Q. Okay. Did you think you were being  
23 restrained against your will by either Mr. Jackson  
24 or anyone you thought was associated with him?

25 A. Yes.

26 Q. Did you think you were being --

27 A. I didn't think it. I knew it.

28 Q. Did you think you were being kidnapped by 6427

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1 Mr. Jackson or anyone associated with him?

2 MR. ZONEN: Calls for a legal conclusion.

3 Objection.

4 THE COURT: Sustained.

5 Q. BY MR. MESEREAU: Did you think you were

6 being held against your will by Mr. Jackson or

7 anyone associated with him?

8 A. Did I think it?

9 Q. Yes.

10 A. I knew it.

11 Q. And did you think you were the victim of

12 either force or fear created by anyone associated

13 with Mr. Jackson?

14 A. I knew it.

15 Q. Yet, you never went into court to get any

16 restraining order at any time regarding Mr. Jackson,

17 true?

18 A. I was too scared of him.

19 Q. Okay. And at the time you claim you were

20 being held against your will, you had a number of

21 lawyers who had represented you at that point, true?

22 A. I don't understand what you're saying.

23 Q. Well, you had a lawyer who, you just told

24 the jury, had represented you in your domestic

25 dispute with David, correct?

26 A. Correct.

27 Q. At some point you visited Mr. Dickerman with

28 Jamie Masada, correct? 6428

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1 A. Uh-huh.

2 Q. You had a number of meetings with Mr.

3 Dickerman and Jamie Masada, correct?

4 A. Correct.

5 Q. At some point, Mr. Dickerman referred you to

6 an attorney named Larry Feldman, correct?

7 A. This is after the fact.

8 Q. Is that true?

9 A. Correct.

10 Q. Never have you ever sought a restraining

11 order against Mr. Jackson or anyone associated with

12 him, right?

13 A. That's correct.

14 (Whereupon, a portion of a CD, Plaintiff's

15 Exhibit 809, was played for the Court and jury.)

16 Q. BY MR. MESEREAU: Okay. Frank Cascio says

17 to you, "Do you know everything that David is saying

18 is completely false." Do you see this?

19 A. Yes, I do.

20 Q. And you say, "Oh, I know, I know. That's

21 why I'm getting" -- excuse me, "That's why I'm --

22 I'm getting all those information. Oh, for example,

23 ah, there was like year and a half ago, a year and a

24 half ago, they did an investigation of me and David.

25 We understand that -- that Michael Jackson, and

26 Chris Tucker are involved with you and the kids, and

27 they said -- and the kids spoke up and they said,

28 'They're family to us. If we didn't have Michael, 6429

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1 if we didn't have Michael, we wouldn't have a  
2 father, a father figure in our life.'" And then the  
3 social worker, (inaudible)," it says, "(possible  
4 keys typing), okay, I'll give the person here a call  
5 named David Arvizo. And she documented it and  
6 everything and so I'm returning the note paper so  
7 you can have all these papers."

8 Do you see that quote?

9 A. Yes.

10 Q. All right. You're referring to an  
11 investigation of you and David, correct?

12 A. Yes.

13 Q. What investigation are you talking about?

14 A. Okay. Remember how I told you about the  
15 Child Protective Services, that there was different  
16 people, not this group, the one that was in a  
17 different building, which was a female. This is  
18 how -- my children's state of mind at that point,  
19 because Michael had been kind to them in the initial  
20 meeting when we first met in August. That stood  
21 with them. Yeah.

22 Q. Well, okay. So you met Michael Jackson in  
23 August of what year?

24 A. Of 2000. And also Evvy, his personal  
25 assistant, made sure that we -- that the children  
26 felt and saw everything as a family environment and  
27 to see him as a father figure. This is Evvy

28 Tavasci, his personal assistant. 6430

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1 Q. When you were involved in the investigation  
2 you just described --

3 A. Yes.

4 Q. -- how many times had you seen Michael  
5 Jackson?

6 A. Me personally by this time, once.

7 Q. You had seen Michael Jackson one time, and  
8 when you're being investigated by the Department of  
9 Children & Family Services, you tell them that

10 Michael is like a father to your kids and your  
11 family, true?

12 A. No. Inaccurate. It says, "And the kids  
13 spoke up and they said 'They're family to us.'" The  
14 children continue speaking and say, "If we didn't  
15 have Michael -- if we didn't have Michael, we  
16 wouldn't have a father."

17 My kids said that.

18 Q. "A father figure in our life," correct?

19 A. Yes, that's the children.

20 Q. Were you there when the kids said that to  
21 the representatives of the Department of Children &  
22 Family Services who were investigating you?

23 A. That's correct.

24 Q. One meeting with Michael and --

25 A. Not me.

26 Q. -- and you're calling him "family" and "a  
27 father figure," right?

28 A. Yes, per Evvy Tavasci's, his personal 6431

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1 assistant, request. And also Michael had also  
2 pointed that out to the children in August of 2000.

3 Q. I'm asking about you.

4 A. Okay, me?

5 Q. You're being investigated by DCFS, true?

6 A. Yes. Me and David. Because when David was  
7 arrested for domestic violence -- remember how I  
8 told you that this particular social worker, I was  
9 very impressed, because she didn't care about me.

10 All she was interested was in my children.

11 And that's what I thought and was hoping  
12 that these three, who were only solely concerned  
13 about being sued by Michael Jackson, would have had  
14 that same position. Then all this wouldn't have  
15 happened.

16 Q. Miss Arvizo, we're talking about a DCFS  
17 investigation, by your own words, that was a year  
18 and a half before you're quoted in the conversation,  
19 correct?

20 A. This is correct.

21 Q. That has nothing to do with what you just  
22 told the jury.

23 A. This has everything to do with it. This  
24 is -- this, 2003. The DCFS was about -- about 2001.  
25 So I'm giving a best estimate on this conversation.

26 Q. You've met Michael one time and you're using  
27 him to defend yourself in the investigation?

28 A. No. Incorrect. Inaccurate. We had -- in 6432

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1 my apartment, we had a series of different pictures.

2 And the social worker had pointed out, because the

3 pictures that they had taken out of my apartment

4 when they did that little move, they were there

5 displayed amongst many celebrities, many people.

6 People that even donated blood were up there.

7 Q. Now, you told the jury when the prosecutor

8 for the government was asking you questions that

9 you'd always had good relationships with the

10 Department of Children & Family Services, correct?

11 A. Who's "the government"?

12 Q. These guys.

13 A. Okay.

14 Q. Okay?

15 Do you remember telling the jury that you

16 had always had good relations with the Department of

17 Children & Family Services?

18 A. That's correct. Prior to this CPS meeting

19 which they were not concerned with my children, they

20 were just concerned about being sued by Michael

21 Jackson, it was a positive experience. Like I said,

22 they cared solely about my kids.

23 Q. And was it a positive experience with the

24 Department of Children & Family Services when you

25 were investigated a year and a half before this

26 conversation with Frank Cascio?

27 A. That's what I'm talking about. In the year

28 2000, when David was arrested, they initiated a 6433

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1 Child Family Services -- I don't know, one of  
2 those -- it's the same people, I feel, had come out  
3 to make sure that I was a good mom and make sure  
4 that the children were in a safe environment.

5 Q. And you used the name "Michael Jackson" and  
6 the name "Chris Tucker" in that investigation?

7 A. That's incorrect.

8 Q. So, are you not telling the truth when you  
9 say that to Frank?

10 A. No, no, you said if I used them. That's  
11 inaccurate. Like I said, there was pictures on my  
12 walls of different people that had been kind to my  
13 children. Amongst them was Michael, Chris,  
14 celebrities, other people, and people that had  
15 donated blood. And it was her question that she  
16 asked that sparked my children to answer that. At  
17 that moment was a time that -- that was their  
18 mindset.

19 Q. You were investigated by the Department of  
20 Children & Family Services in the 1990s when Gavin  
21 alleged you had abused him. Remember that?

22 A. Yes, I do.

23 Q. Okay. Did you have a good relationship with  
24 the Department of Children & Family Services at that  
25 time?

26 A. Yes, I did.

27 Q. Okay. He accused you of abusing him and

28 then he changed his mind, right? 6434

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1 A. No, that's inaccurate.

2 Q. Why don't you tell the jury what happened in  
3 the investigation in the 1990s.

4 A. I feel -- if I'm correct, I feel that what  
5 he's talking about, it was a time when Gavin was I  
6 think in kindergarten. I think it was kindergarten.  
7 I'm not sure. And the nurse, or something like  
8 that, had said to Gavin -- and this is the best I  
9 can recall it, had said -- about Gavin going home.

10 And then Gavin says, "No, I don't want to go home,"  
11 because he didn't want to go home from school.

12 And so he had told them that -- that if he  
13 went home, he would get in trouble or something like  
14 that. I don't remember very clear.

15 And so the Department of Child Family  
16 Services came out, verified that my son was in a  
17 safe environment, and that was it. It was another  
18 positive experience.

19 Q. He had accused you of abusing him and then  
20 changed his story, didn't he?

21 A. No, it's inaccurate what you're saying.

22 Q. You just said that to the jury, that he  
23 accused you of abuse, right?

24 A. And it's okay. He was a kindergartner. He  
25 was a kindergartner. And the way -- the nurse or  
26 teacher, whoever it was - this is the best I can  
27 recall - had communicated it that way to the

28 Department of Child Family Services. And that was 6435

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1 it. This -- it's okay.

2 MR. MESEREAU: Okay. Let's keep going.

3 Thanks.

4 (Whereupon, a portion of a CD, Plaintiff's  
5 Exhibit 809, was played for the Court and jury.)

6 Q. BY MR. MESEREAU: Okay. Frank says to you,  
7 "Janet, can you do me a favor? You see what's going  
8 with everything, and it seems like you're, like,  
9 hiding from everybody, right?" And you go, "Yes."

10 See that?

11 A. Yes, I do.

12 Q. Who were you hiding from?

13 A. Well, from the people that they said that  
14 were out to kill my children.

15 Q. You were also hiding from the media, weren't  
16 you?

17 A. No, the media -- I was -- I was a little bit  
18 unclear, because Michael had said that they're all  
19 bad people.

20 Q. You had said they were bad people.

21 A. Well, because Michael in the initial meeting  
22 in Miami had said that, and so did the Germans.

23 Q. I see. Okay.

24 A. So I believed them. I -- you know, I'm  
25 incompetent. I don't know -- I don't have  
26 experience with this, so I believed him.

27 Q. I'm sorry. Do you remember making repeated

28 statements that the media were harassing your 6436

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1 family, your parents, your children, and you?

2 A. I don't see anywhere I say here "harassing."

3 Q. Did you ever say that to anyone at any time,

4 Ms. Arvizo?

5 A. In this conversation I don't think I said,

6 and prior to this I never did. This is per these

7 conversations, and this is multiple conversations.

8 Q. I understand your position. I'm asking you

9 a general question.

10 Did you at any time, while these events were

11 occurring, ever say to anybody, "The media is

12 harassing my family, my children, my parents, and

13 me"? Yes or no.

14 A. Well, like you said, it's general, so I'm

15 going to generally answer. Prior to these

16 conversations, which are multiple conversations, no.

17 Q. I understand your position.

18 A. It's no.

19 Q. So you never said -- you never complained to

20 anyone about the media harassing you at any time,

21 other than in this conversation.

22 A. You know --

23 Q. Is that true?

24 A. No. That's correct.

25 Q. Okay. This was the first and only time you

26 ever complained about the media harassing you and

27 your family?

28 A. And that was because, in the initial meeting 6437

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1 in Miami, Michael had pointed out that the media  
2 were bad people, which I come to find out different  
3 now, and that the Germans had said they're bad  
4 people. I believed them.

5 When I got to my mom's and I saw all those  
6 offers and the constant phone calls, then it just  
7 confirmed in my mind to what they had told me. And  
8 that's it. They're just doing their job. And  
9 that's okay.

10 Q. Then why did you tell Frank they were  
11 harassing you at your home?

12 A. I didn't say they were harassing me.

13 Q. Never said anything like that in this  
14 conversation, true?

15 A. No, I didn't say "harassing."

16 Q. Okay. All right.

17 (Whereupon, a portion of a CD, Defendant's  
18 Exhibit No. 809, was played for the Court and jury.)

19 Q. BY MR. MESEREAU: Now, you tell Frank about  
20 the offers you received, right?

21 A. Uh-huh.

22 Q. And you, in effect, tell him you're not  
23 going to accept any of them, right?

24 A. Correct.

25 Q. And then you say --

26 A. Because that's not in my nature.

27 Q. I understand that. We'll get to the J.C.

28 Penney case and a few other things. 6438

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1 MR. ZONEN: Objection; move to strike.

2 THE COURT: Stricken.

3 MR. ZONEN: It's a gratuitous comment.

4 MR. MESEREAU: Withdrawn.

5 Q. You say here, "I know we're family, Frank.

6 Me, you, me, my kids are family. You, Marie Nicole,

7 my kids, Baby Rubba are family. Michael, Marie

8 Nicole (inaudible), (Frank coughs). You, me, are

9 family and my parents. That's all I got. So that's

10 why when these German people..., " and then it's

11 inaudible. Do you see that?

12 A. That's correct.

13 Q. Now, this conversation is taking place after

14 you say you escaped from Neverland with Jesus, true?

15 A. Correct.

16 Q. You're still calling Michael your family,

17 correct?

18 A. That's correct, yes.

19 Q. You didn't escape from Neverland at all, did

20 you?

21 A. Oh, yes, I did.

22 Q. And how many times did you go back after

23 your first escape?

24 A. Be more specific, please.

25 Q. How many times did you return to Neverland

26 after your first escape?

27 A. After I was convinced by Frank, believing

28 that they were good people, I went back probably -- 6439

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1 well, they've broken it down for you guys in a  
2 period of two days. So, let me see.

3 I went back with -- with Chris immediately.

4 Came back that same day. And then when Vinnie took  
5 me back, and that's it. I think. I'm trying to be  
6 summarizing those two days' worth of information.

7 Q. Well, it's a total of approximately three  
8 escapes, isn't it?

9 A. Are you including the one where I  
10 permanently left and never went back?

11 Q. Yes, and maybe it's four escapes. How many  
12 times do you escape from Neverland?

13 A. I'm asking you. I'm asking you. Please.

14 Q. I'm asking you how many times, in your mind,  
15 you escaped from that dungeon Neverland?

16 MR. ZONEN: I'm going to object as  
17 argumentative.

18 THE COURT: Sustained.

19 Q. BY MR. MESEREAU: How many times did you  
20 escape from Neverland, Miss Arvizo?

21 MR. ZONEN: Objection; asked and answered.

22 THE COURT: Overruled.

23 You may answer.

24 THE WITNESS: Thank you.

25 With Jesus. With Chris. And then the last  
26 time. And that's the best I can remember.

27 Q. BY MR. MESEREAU: And during the period of

28 these escapes, you're constantly referring to 6440

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1 Michael as family to you, right?

2 A. Prior?

3 MR. ZONEN: Objection; vague as to "during  
4 the period of."

5 MR. MESEREAU: I'll rephrase it, Your Honor.

6 THE COURT: All right.

7 MR. MESEREAU: I'll withdraw it.

8 Q. Between the first and the last escape from

9 Neverland, you were still referring to Michael as  
10 your family, right?

11 A. Prior to Jesus taking me, my kids and me,

12 back to El Monte to my parents' house, I thought he

13 was still a good guy. I was confused and I was sad

14 at that moment because I did not know the events or

15 what's happened. Now I know a lot. But in that

16 period I only thought it was the Germans. That's

17 it.

18 Now, after, when Chris brought me back, I

19 knew now things are problematic, things that are

20 arising, so I'm still clueless. But as time

21 evolves, I'm finding out more and more things. Now

22 today, I know different.

23 Q. Ms. Arvizo, getting back to the leg wax that

24 you had on February 11th, 2003, the day of your

25 escape, you had a full leg treatment, a brow

26 treatment, a lip treatment, a face treatment and a

27 bikini wax; is that correct?

28 A. That's incorrect. 6441

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1 Q. Would it refresh your recollection to look  
2 at the receipt?

3 A. It wouldn't refresh my recollection because  
4 I know my recollection. It's solely a leg wax. If  
5 they've manipulated it, that's what they have done.

6 Q. The total cost was \$140, correct?

7 A. Like I say, it was only a leg wax.

8 Q. Would it refresh your recollection to just  
9 look at the copy of the receipt?

10 A. I'm telling you, it was only a leg wax. He  
11 has the ability to choreograph everything.

12 Q. How about you, Ms. Arvizo?

13 A. No.

14 Q. Okay. You don't want to even look at the  
15 receipt?

16 A. No, because I'm telling you, it was only a  
17 leg wax.

18 Q. And who paid for that?

19 A. I paid for it. The reason is, they deducted  
20 it from the items they lost or stolen that were  
21 taken from me from the Miami trip.

22 Q. Who paid for your treatment at the salon?

23 A. I did, because that was their effort in  
24 replacing the items that were lost and stolen from  
25 the bags that I had in Miami.

26 Q. Did you pay the person at the salon your own  
27 money?

28 A. Like I said, the condition here was that 6442

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1 they were deducting it from the items that they had  
2 lost or stolen from me.

3 Q. Did you pay the person at the salon any  
4 money?

5 A. I just answered that.

6 Q. Did you take money of your own and give it  
7 to anyone at the salon on that day, Miss Arvizo?

8 A. No.

9 Q. Who did?

10 A. I don't know. I don't know. That was taken  
11 care of by the Germans in the process of doing their  
12 positive PR, which there was a film crew. It would  
13 be good to show that.

14 Q. We'll talk about that. Okay.

15 (Whereupon, a portion of a DVD, Plaintiff's  
16 Exhibit 809, was played for the Court and jury.)

17 Q. BY MR. MESEREAU: Now, Frank asks you to be  
18 interviewed for a documentary about Michael Jackson,  
19 correct?

20 A. Correct.

21 Q. This is after your escape with Jesus,  
22 correct?

23 A. Yes, it is.

24 Q. And he tells you he'd like to do a  
25 documentary and would like you to say "nice  
26 things" - actually, he used the word "beautiful" -  
27 "about Michael," right?

28 A. This is correct. 6443

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1 Q. And you say, "Oh, I would. That's all I  
2 have to say." Frank says, "You" -- and then you  
3 say, "Me and the kids, that's all we have to say."

4 Correct?

5 A. This is correct. In this period, I only  
6 thought it was the Germans that were problems.

7 Q. Are you still telling the jury that  
8 everything you said nice about Michael on the  
9 rebuttal tape was from a script?

10 A. Yes.

11 Q. And if it hadn't been for that script, you  
12 wouldn't have said beautiful things about Michael,  
13 right?

14 A. Could you say that again?

15 Q. Are you telling the jury that when you did  
16 the rebuttal video, you and the kids, and you said  
17 nice things about Michael Jackson, you were doing it  
18 all from a script? Yes or no, Miss Arvizo.

19 A. Well, you lost me now.

20 Q. I will rephrase it.

21 A. Okay.

22 Q. In this conversation that you didn't know  
23 was recorded --

24 A. Correct.

25 Q. -- Frank's asking you --

26 A. That was illegally recorded.

27 Q. Thank you.

28 In this conversation where you are 6444

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1 recorded --

2 A. Illegally.

3 Q. I understand your position.

4 A. Okay.

5 Q. -- you tell Frank that all you and your

6 family had to say in a documentary are beautiful

7 things about Michael Jackson, true?

8 A. Yes. That is correct.

9 Q. Yet, you've also told the jury that when you

10 did the documentary, all the good things you said

11 about Mr. Jackson were scripted, correct?

12 A. In the document -- in the thing, the

13 rebuttal that they did, the whole entire thing --

14 I know I have a problem speaking. I'm trying to do

15 my best.

16 The whole thing, from the beginning to the

17 end, including outtakes, it was all scripted

18 material. All of it. You didn't have to do that at

19 this point. I would have done it on my own.

20 But -- prior to that, because I thought it was only

21 the Germans.

22 But from the period that they did this, now

23 this is scripted, now things have elevated. But in

24 this, at this moment in time, yes, I would have.

25 But now? Have another rebuttal, and I'll

26 speak freely. Have another audiotape with Brad

27 Miller. I'll speak freely now.

28 Q. I understand. But at this point in time 6445

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1 after your first escape, you had nothing but nice  
2 things to say about Michael Jackson?

3 A. That is correct. I only thought it was the  
4 Germans.

5 Q. And you were ready to do a documentary about  
6 Michael Jackson where all you had were beautiful  
7 things to say, correct?

8 A. And only if the things wouldn't have been  
9 dictated of exactly what to say. Only if. That's  
10 the only problem I had; that they want -- they  
11 wanted me to say things that were scripted, exactly  
12 what they wanted to say. Because I -- I felt what's  
13 wrong with telling the truth? And at that moment,  
14 that was the truth.

15 Q. And everything you said --

16 A. And now I know different. It was happening  
17 right underneath my nose.

18 Q. Miss Arvizo, everything you said on that  
19 rebuttal tape was scripted; is that what you're  
20 saying?

21 A. Every single thing.

22 Q. We will get to the rebuttal.

23 A. Even the outtakes.

24 MR. SANGER: Ready?

25 MR. MESEREAU: Yeah.

26 (Whereupon, a portion of a CD, Plaintiff's  
27 Exhibit 809, was played for the Court and jury.)

28 Q. BY MR. MESEREAU: Now, you complained to 6446

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1 Frank that the Germans are trying to dictate to you  
2 what to say, right?

3 A. I didn't complain. I expressed myself.

4 Q. Is that what you expressed to him?

5 A. Yes. Because they were trying to dictate to  
6 me exactly what to say. For example, also the  
7 charitable act. They wanted me to say that me,  
8 Michael, my children had went to Germany and gave to  
9 German orphans. That's what they said.

10 I'm not going to do that. What's wrong with  
11 the truth at that point? I thought he was a good  
12 guy. Now I know different.

13 Q. Miss Arvizo, at any time in that rebuttal  
14 tape, did you talk about going to Germany and  
15 dealing with orphans, per the script?

16 A. No. Obviously they eliminated that.

17 Q. Okay.

18 A. Or maybe I forgot. I don't know.

19 Q. I understand.

20 A. I was -- like I told you, I got in trouble  
21 for not doing exactly what they said, so that's why  
22 the process of leaving out of the country had to  
23 happen.

24 Q. Right. I understand.

25 A. You're correct, I did an inadequate job.

26 I'm a poor actress. You're right.

27 Q. I think you're a good one.

28 MR. ZONEN: I'm going to move to object. 6447

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1 Ask the Court to admonish counsel.

2 THE COURT: I'll admonish counsel not to make  
3 those remarks.

4 MR. MESEREAU: I will --

5 THE COURT: Admonish the jury to disregard  
6 such a remark.

7 I expect more professional behavior from  
8 you.

9 MR. MESEREAU: I apologize, Your Honor.

10 I withdraw it.

11 THE COURT: (To the witness) And you must  
12 only answer his questions. You're not to get into  
13 arguments with him. It's as much your fault. Do  
14 you understand that?

15 THE WITNESS: Yes, sir.

16 Q. BY MR. MESEREAU: You said that to Frank,  
17 that what you say in the documentary has to come  
18 from the heart, right?

19 A. Yes. I said -- yes, I did. I said, "Think  
20 with your heart, not your head." Because our heart  
21 has a lot of pure things in there.

22 Q. And when you said the things you said about  
23 Michael Jackson on that rebuttal video, you were, in  
24 fact, speaking from the heart, right?

25 A. It was all scripted.

26 MR. MESEREAU: Okay. Let's keep going.

27 (Whereupon, a portion of a CD, Plaintiff's

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28 Exhibit 809, was played for the Court and jury.) 6448

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1 Q. BY MR. MESEREAU: Now, you said you didn't

2 like someone named Mark Ratner, right?

3 A. Uh-huh.

4 Q. Mark Ratner was a director on the Rush Hour

5 movie, true?

6 A. Incorrect.

7 Q. Who was Mark Ratner?

8 A. I came to find out afterwards that it was

9 Marc Schaffel.

10 Q. Well, you talked about Mark Ratner.

11 A. There is no Mark Ratner. There's only Brett

12 Ratner.

13 Q. And --

14 A. And I hadn't --

15 Q. And who is Brett Ratner?

16 A. And I haven't spoke to Brett Ratner since my

17 children were with Chris, since 2001. I think --

18 wait, 2000 -- I think it was January of 2001.

19 Q. Brett Ratner was the director on the Rush

20 Hour movie, right?

21 A. Yes.

22 Q. And where did you first meet him?

23 A. I met him for about -- Chris had taken the

24 children to -- that's when he was doing the filming

25 for Rush Hour 2. It was on the set.

26 Q. Did you ever see him at Neverland?

27 A. I never saw him at Neverland.

28 Q. Did you ever learn that Gavin had seen him 6449

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1 at Neverland?

2 A. Yes, I came to find out that afterwards.

3 Q. And did you learn that Gavin had asked him

4 to take Gavin to Florida to see Michael? Did you

5 ever learn that?

6 A. You are -- you are -- I have a lot of

7 thoughts in my heart about you.

8 But he's incorrect.

9 Q. Did you ever learn such a thing? Yes or no.

10 A. What I learned afterwards is that Brett

11 Ratner, while I was over here in Los Angeles, and

12 Dieter had cornered my son, including with Michael,

13 to have him sign a piece of paper. That's what I

14 learned while I was over here in Los Angeles.

15 Q. Did you ever learn that Gavin wanted to go

16 to Florida to see Michael, and Brett Ratner wouldn't

17 permit it?

18 A. That's incorrect.

19 Q. Okay.

20 A. Because Brett Ratner, Dieter and Michael

21 were all there in Michael's house.

22 Q. Were you there?

23 A. My children were there.

24 Q. Were you there?

25 A. I wasn't there.

26 Q. Now, you talk about the Germans keep trying

27 to push Michael Jackson to drink. Do you see that?

28 A. Yes. How foolish I was. I thought he 6450

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1 didn't drink. And they choreographed the little  
2 scene in front of me where they were pretending like  
3 he doesn't drink, and he doesn't even drink Pepsi,  
4 and I fell for that. I did. Now I know a lot of  
5 things.

6 Q. You complained that the Germans are trying  
7 to get Michael Jackson to drink alcohol, right?

8 A. Yes. Like I said, I fell for it, their  
9 little choreography. I thought he didn't drink.

10 They pointed out he didn't drink an ounce of  
11 alcohol, not even Pepsi, and I fell for it. Yes, I  
12 did.

13 Q. When you fell for this, how many times had  
14 you stayed at Neverland?

15 A. This is the period before I left with Jesus.  
16 This is this period.

17 Q. When you fell for this, how many times had  
18 you stayed at Neverland?

19 A. This is the period before I left with Jesus.

20 Q. Okay. And did you watch the people you  
21 refer to as the Germans trying to get Michael to  
22 drink?

23 A. Yes. Michael was part of this choreography.  
24 Michael had pointed out that he doesn't drink, and  
25 the Germans said he doesn't drink and that he  
26 doesn't even drink Pepsi. He was going, "No, no."  
27 And now I know different. Now I know that

28 Neverland's all about booze, pornography and sex 6451

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1 with boys.

2 MR. MESEREAU: Move to strike her comments  
3 as self-serving.

4 THE COURT: They're stricken. The jury is  
5 admonished to disregard those remarks.

6 (Whereupon, a portion of a CD, Plaintiff's  
7 Exhibit 809, was played for the Court and jury.)

8 Q. BY MR. MESEREAU: Now, Frank says there are  
9 evil people out there, and you agree with him,  
10 correct?

11 A. Yes, I believed him.

12 Q. Okay. And he talks about making some  
13 arrangements because you're not safe, right?

14 A. That's correct.

15 Q. And you thank him, correct?

16 A. Let me see. I'm just being appropriate.

17 Q. You're just being --

18 A. I have manners.

19 Q. You're just being well-mannered?

20 A. I'm just having manners, because as you can  
21 recall, I had left -- I believed what he had said.

22 MR. MESEREAU: Your Honor, can I move to  
23 strike her comments?

24 THE WITNESS: So I went to Jay Jackson's  
25 house instead of going back.

26 THE COURT: Just a moment.

27 All right. I'll strike after she said, "I'm

28 just having manners." 6452

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1 Q. BY MR. MESEREAU: When you agreed with Frank  
2 that he should make arrangements because you weren't  
3 safe, you were just being well-mannered, correct?

4 A. At this point, I'm being only well-mannered,  
5 and I didn't agree. I was -- he was convincing me.

6 Q. I see. Okay. All right.

7 (Whereupon, a portion of a CD, Plaintiff's  
8 Exhibit 809, was played for the Court and jury.)

9 Q. BY MR. MESEREAU: Now, you get back on the  
10 line with Frank and he says, "How can I get in touch  
11 with you, because I know sometimes your lines are  
12 always busy."

13 And you say, "Yeah, it's like people are  
14 calling like crazy, you know?"  
15 Who are you referring to?

16 A. This is correct. A lot of people were  
17 calling. They were interested in my son Gavin.

18 Q. And you were complaining to Frank about  
19 that, correct?

20 A. No, I'm not complaining. This is in the  
21 midst of a conversation. I didn't call him. He  
22 called me. Many times.

23 Q. Did you ever complain to Frank that people  
24 were calling you like crazy?

25 A. I stated to him -- the word here is, "Yeah,  
26 it's like people are like calling crazy, you know."

27 MR. MESEREAU: Let's keep going.

28 (Whereupon, a portion of a CD, Plaintiff's 6453

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1 Exhibit 809, was played for the Court and jury.)

2 Q. BY MR. MESEREAU: Now, Frank says to you,

3 "I'm going need to get through to you and talk to

4 you, because I want to get you out of there.

5 It's -- I don't think -- I don't want you -- I don't

6 think it's safe."

7 And Miss Arvizo, you respond, "It's not.

8 It's like it's crazy. Can I read you one of the

9 letters? It's like there are all kinds of things,

10 and it's of no interest to me, because family never

11 leaves family behind."

12 Do you see where you said that?

13 A. Yes, I do.

14 Q. You don't refer to any death threats at all,

15 do you?

16 A. No, I don't.

17 Q. You say it's not safe, and you talk about

18 all the letters you're getting. No reference to one

19 single death threat --

20 A. That's because --

21 Q. -- is that correct, Miss Arvizo?

22 Just please answer my question, if you can.

23 A. Yes, that's correct.

24 Q. Okay.

25 A. You don't have to raise your voice. I'm

26 here listening.

27 Q. I'm sorry. I'm sorry.

28 And then you say, "Family never leaves 6454

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1 family behind, you know," right?

2 A. That's correct.

3 Q. You still consider Michael to be your

4 family, right?

5 A. That's because of the initial meeting where

6 he said --

7 Q. Yes or no?

8 A. -- "Family never leaves family behind."

9 Q. You still considered Michael --

10 A. At this point?

11 Q. -- to be part of your family?

12 A. He called himself family, and it --

13 basically, like I said, people 50 or over have a

14 tender spot in my heart. Sometimes --

15 MR. MESEREAU: May I object to the colloquy?

16 Move to strike.

17 THE COURT: Sustained.

18 Do you want to read the question back? Read

19 the question to her.

20 (Record read.)

21 THE WITNESS: I considered him to be like

22 family.

23 MR. MESEREAU: Okay.

24 (Whereupon, a portion of a CD, Plaintiff's

25 Exhibit 809, was played for the Court and jury.)

26 Q. BY MR. MESEREAU: Frank says to you, Ms.

27 Arvizo, "For your safety, and if we were to put a

28 secur -- maybe have somebody 24 hours outside your 6455

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1 house, protecting your house from people, would you  
2 mind if we do that?" And your answer is, "No."

3 Right?

4 A. My answer is, "No," I don't want that.

5 MR. MESEREAU: Keep going.

6 (Whereupon, a portion of a CD, Plaintiff's

7 Exhibit 809, was played for the Court and jury.)

8 Q. BY MR. MESEREAU: Now, Ms. Arvizo, after

9 Frank says, "Maybe have somebody 24 hours outside

10 your house, protecting your house from people, would

11 you mind if you do that?" And you say, "No," you

12 then talk about how your children's school is

13 bombarded; correct?

14 A. Yes, this is because Michael and the Germans

15 had told me that.

16 Q. Well, you didn't say that now, did you?

17 A. I did say that.

18 Q. You're in Los Angeles when you make this

19 comment, aren't you?

20 A. No, it's correct. I'm telling you -- you

21 want to know the information. You weren't there; I

22 was. Michael and the Germans had told me that.

23 MR. MESEREAU: May I ask -- would the Court

24 instruct the witness just to respond to my question?

25 THE WITNESS: I am responding.

26 THE COURT: You must listen to the question

27 and answer the question, and not try to advance

28 beyond the question. 6456

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1 THE WITNESS: Okay.

2 Q. BY MR. MESEREAU: You say to Frank, "So I  
3 have my kids here, and the school is completely  
4 cooperating with giving, like, me to work." He  
5 says, "Okay." And you say, "My children's school is  
6 like bombarded," correct?

7 A. This is correct.

8 Q. Frank goes, "I know," right?

9 A. That's correct.

10 Q. Then you say, "I didn't go to the other  
11 apartment. It's like crazy over there," correct?

12 A. This is correct.

13 MR. MESEREAU: Let's keep going.

14 (Whereupon, a portion of a CD, Plaintiff's  
15 Exhibit 809, was played for the Court and jury.)

16 Q. BY MR. MESEREAU: You then tell Frank about  
17 the apartment in East Los Angeles, correct?

18 A. This is correct.

19 Q. You tell him it's on North Soto Street,  
20 right?

21 A. That's right.

22 Q. And after telling him that your children's  
23 school is, like, bombarded, and that the other  
24 apartment, it's like crazy over there, you tell him  
25 that you didn't go to Soto Street. You went  
26 straight to your mom's house, true?

27 A. This is -- this is correct. I told him I

28 came straight here to my mom's house from Neverland, 6457

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1 to my mom's house, because I believed what the  
2 Germans and Michael had said.

3 Q. Okay.

4 A. And I'm repeating what they said --

5 Q. I see.

6 A. -- to Frank.

7 Q. That's your explanation for those comments,  
8 correct?

9 A. This is -- this is accurate information.

10 MR. MESEREAU: Okay. Let's keep going.

11 (Whereupon, a portion of a CD, Plaintiff's  
12 Exhibit 809, was played for the Court and jury.)

13 Q. BY MR. MESEREAU: Now, Miss Arvizo, after  
14 talking about how your children's school is  
15 bombarded, and it's crazy over at Soto Street, and  
16 that you've gone to your mom's house and didn't go  
17 to Soto Street, Frank says to you, "What if we were  
18 to take you to a church up there? Because it's just  
19 really important. You're going to have to have  
20 somebody stay outside your house and watch you, your  
21 house, protect and make sure nobody comes to your  
22 house. Oh, I want to take you up to the ranch just  
23 for your safety and your family."

24 And your response to that statement is, "Do  
25 you have a cell number, Frank?" And he says, "Yes."  
26 At no time do you say you don't want any of  
27 that protection, do you?

28 A. At no time does it say a "Yes." 6458

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1 Q. Your response to his statement about giving  
2 you protection is, "Can I have your cell number?"  
3 Right?

4 A. I just said, "Do you have" -- and prior to  
5 that, you said something about church. I have never  
6 missed Ash Wednesday. Never.

7 MR. MESEREAU: Objection; move to strike.

8 THE WITNESS: And when I was in Neverland,  
9 they didn't take me to church. I missed Ash  
10 Wednesday.

11 THE COURT: Just a moment.

12 I will strike that, those remarks. But,  
13 Counsel, your question was so long and lengthy, one  
14 wonders what one should comment on in it.

15 MR. MESEREAU: Okay.

16 THE COURT: And I'll ask you to refrain from  
17 that type of question. It's causing problems here.

18 MR. MESEREAU: Yes. I'll rephrase it, Your  
19 Honor.

20 Q. Miss Arvizo, referring you to Frank Cascio's  
21 statement, it begins with "What if we were...", do  
22 you see that?

23 A. Okay.

24 Q. He says to you, "What if we were to take you  
25 to a church up there," right?

26 A. That's correct.

27 Q. "Because it's just really important," right?

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1 Q. And it says -- it says, "Inaudible," right?

2 A. Yes.

3 Q. And then he says, "You're going to have to  
4 take somebody" -- excuse me. "You're going to have  
5 to have somebody stay outside your house and watch  
6 you," right?

7 A. Correct.

8 Q. He says, "Your house," right?

9 A. Uh-huh.

10 Q. Then he says, "Protect and make sure nobody  
11 comes to your house," right?

12 A. Correct.

13 Q. "Oh, I want to take you up to the ranch just  
14 for your safety and your family." Do you see that?

15 A. Correct.

16 Q. And your response to that is, "Do you have a  
17 cell number, Frank?" Right?

18 A. That's it.

19 Q. And he says, "Yes."

20 A. And it's not --

21 Q. Right?

22 A. And it's not a "yes" from me.

23 Q. And it's not a "no" either, is it?

24 MR. ZONEN: It's argumentative; objection.

25 THE WITNESS: He's convincing me.

26 THE COURT: Excuse me, Counsel?

27 MR. MESEREAU: Objection; argumentative.

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1 MR. MESEREAU: Let's keep going.

2 (Whereupon, a portion of a CD, Plaintiff's  
3 Exhibit 809, was played for the Court and jury.)

4 Q. BY MR. MESEREAU: Going further into this  
5 taped phone conversation --

6 A. And notifying that there's also numerous  
7 tape breaks.

8 Q. I understand.

9 You say to Frank, "Is there a way I can get  
10 back to you, Frank?" Do you see that?

11 A. Yes, I see that. I'm being polite.

12 Q. I understand.

13 And Frank --

14 A. Because I not once - and when you see those  
15 subpoenaed phone records - called him back during  
16 this period.

17 Q. And you say, "Call you" --

18 Your Honor, may I move to strike the  
19 witness's comments?

20 THE COURT: I'm not going to strike it. The  
21 last question listed is you just saying, "I  
22 understand," and then she starts talking. So there  
23 was no question and --

24 MR. MESEREAU: Okay.

25 Q. Miss Arvizo, you say to Frank, "Is there a  
26 way I can get back to you, Frank?" Correct?

27 A. Correct.

28 Q. Frank says, "Call you if there is an 6461

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1 emergency," right?

2 A. Correct. And there's also a tape break.

3 Q. Yes. And then you say, "Okay, I have no

4 control (another phone is heard ringing) Frank.

5 People call and call. So when they call, it sounds

6 busy to whoever else. " Do you see that?

7 A. This is correct.

8 Q. Frank says, "Okay." And then you say, "This

9 is my mom's number."

10 A. Yes, I was at my mother's house.

11 Q. You gave Frank your mom's phone number,

12 true?

13 A. I gave Frank my mom's phone number? No.

14 Q. All right.

15 A. He himself had it.

16 Q. Okay.

17 (Whereupon, a portion of a CD, Plaintiff's

18 Exhibit 809, was played for the Court and jury.)

19 Q. BY MR. MESEREAU: You said to Frank, "Don't

20 worry, Frank, we're a family, okay?" Do you see

21 that?

22 A. Oh, I see it right here.

23 Q. Frank says, "Okay." Do you see that?

24 A. Yes.

25 Q. You say, "Michael's family to me." Then

26 it's inaudible. "My kids call him Daddy Michael."

27 Do you see that?

28 A. That's correct. This is correct. 6462

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1 Q. Then he says, "But -- but Janet, you  
2 understand like how we have to protect you and  
3 Michael, Gavin and your kids. That's why I'm so  
4 concerned." Do you see that?

5 A. Yes.

6 Q. And then you respond to Frank, "That's why  
7 the German people said, 'You need no protection.  
8 You're nobody' --

9 A. Yes.

10 Q. -- "you know?"

11 And you say -- and Frank says, "No, that's  
12 not true," correct?

13 A. Correct. Do you want me --

14 Q. I'd like to ask you just some questions, if  
15 I can, all right?

16 A. Okay. Sure.

17 Q. You complain to Frank that the German people  
18 said you didn't need protection, because you're a  
19 nobody, right?

20 A. No. It's -- it says, "That's why the German  
21 people say, "I need no protection. You're nobody,'  
22 you know?"

23 Q. And then Frank then responds, "No, that's  
24 not true," correct?

25 A. Correct. Correct. But do you want  
26 information on this statement?

27 Q. Did the German people tell you you don't

28 need protection, you're a nobody? 6463

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1 A. Yes, they sure did.

2 Q. We'll move further on.

3 A. When they had me sign the paper --

4 Q. Correct?

5 A. Oh, then he doesn't want you to know.

6 THE COURT: Just a moment. Just a moment.

7 Listen to the question and answer it. You're going

8 beyond the question. I've asked you not to do that.

9 THE WITNESS: Okay. This is just so hard,

10 Judge. For two years I've been waiting.

11 THE COURT: I'll strike that remark.

12 Go ahead, Counsel.

13 MR. MESEREAU: Let's go.

14 (Whereupon, a portion of a CD, Plaintiff's

15 Exhibit 809, was played for the Court and jury.)

16 THE COURT: Counsel? I'm sorry to break your

17 concentration, but I want to explain something to

18 the jury.

19 MR. MESEREAU: Sure.

20 THE COURT: If you need to start over on

21 that, you can.

22 (To the jury) During the course of this

23 trial, quite often I have said, "I'll strike that."

24 The purpose in doing that is twofold: One is to

25 tell you you're not to consider that, whether it's

26 testimony, whether it's remarks by an attorney,

27 whether it's remarks by a witness. And it also is

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28 reflected in the record. 6464

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1 Later, when you're deciding this case and  
2 you're in the jury room, you may want to have  
3 testimony read back. And when testimony is read  
4 back to you, you don't -- that's not there. It is  
5 stricken at that time, so the court reporter reads  
6 it to you, she sees that it's stricken, she doesn't  
7 read all of that to you.

8 So it may seem strange that I just say  
9 "Strike that." But what it really means always is,  
10 if I say "strike it," don't consider it. Don't  
11 discuss it in your deliberations. It's sort of like  
12 asking you to unring a bell that you've heard ring,  
13 but as intellects, we are -- you know, we are  
14 capable of deciding the case on information that's  
15 admissible and not on information that's not  
16 admissible, right?

17 Everybody on the jury understand that?

18 THE JURY: (In unison) (Nods head up and  
19 down.)

20 THE COURT: All right.

21 MR. MESEREAU: Thank you, Your Honor.

22 THE COURT: Did you want to -- since I  
23 interrupted you, did you want to play that section  
24 back, or are you okay?

25 MR. MESEREAU: I think we're okay, Your  
26 Honor. Appreciate it. Thank you.

27 Q. Miss Arvizo, you constantly complain about

28 the German people in this conversation, right? 6465

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1 A. This is correct.

2 Q. And going back to the portion that we just  
3 played, Frank tells you the following: "No, don't.  
4 Listen, ah, you don't have to talk to them. Just  
5 talk to me, talk to Michael, and I'm going to  
6 arrange everything. But it's either we're going to  
7 have to have somebody at your house this weekend or  
8 we're going to have to take you to the ranch. This  
9 way Michael -- Michael wants to see you. He's -- he  
10 was almost -- he didn't know what happened. He  
11 thought he did something and he was trying to get in  
12 touch with you. And I said, 'Don't worry, I'll take  
13 care of this.' So --"

14 And your response to that statement is,  
15 "Tell him he's our family," right?

16 A. That is correct.

17 Q. You never object to having security at your  
18 house, as Frank proposes, right?

19 A. I didn't -- I never said "Yes."

20 Q. Okay.

21 (Whereupon, a portion of a CD, Plaintiff's  
22 Exhibit 809, was played for the Court and jury.)

23 Q. BY MR. MESEREAU: Going further, you keep  
24 complaining about the German people.

25 A. Uh-huh.

26 Q. Frank says to you, "You don't have to talk  
27 to them," right?

28 A. Correct. 6466

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1 Q. You say, "I thought like everything, my  
2 family was in jeopardy," correct?

3 A. This is correct.

4 Q. Frank responds, "No," right?

5 A. Yes.

6 Q. And your response to that is, "Meaning us  
7 being with Michael and Michael being with us,  
8 correct?

9 A. Yes.

10 Q. What you said to Frank was you were  
11 concerned about your family not being with Michael  
12 and Michael being with your family, true?

13 A. I said, "I thought like everything, my  
14 family, was in jeopardy."

15 Q. And then you say, "Meaning us being with  
16 Michael and Michael being with us"?

17 A. Yes. I will never say no to love.

18 MR. MESEREAU: Objection. Objection to  
19 her -- move to strike the remarks.

20 THE COURT: I'm sorry, I don't understand the  
21 question or the answer.

22 Would you just ask another question?

23 MR. MESEREAU: I'll ask another question,  
24 yes, Your Honor.

25 Q. Frank says, "You don't have to talk to the  
26 German people," and you say to him, "I thought like  
27 everything, my family, was in jeopardy," right?

28 A. Yes. 6467

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1 Q. And then you say, "Meaning us being with  
2 Michael and Michael being with us," correct?

3 A. This is correct.

4 Q. After your escape with Jesus, you still want  
5 Michael to be with your family, and your family to  
6 be with him, true?

7 A. Yes. I thought it was all --

8 MR. MESEREAU: Objection, Your Honor.

9 THE WITNESS: I believed what he said in  
10 Miami.

11 THE COURT: Just a moment.

12 All right. Go ahead with your next  
13 question.

14 (Whereupon, a portion of a CD, Plaintiff's  
15 Exhibit 809, was played for the Court and jury.)

16 Q. BY MR. MESEREAU: Going further into this  
17 tape, okay?

18 A. With the numerous tape breaks.

19 Q. I understand. Now, Frank says, "We need to  
20 protect you and your family, so I'll call you in one  
21 hour to see if you're okay," right?

22 A. Okay. Did you go farther up, higher, or --

23 Q. Well, let's see, the pages aren't numbered.

24 So it starts at -- the top of the page starts with,  
25 "...to do in a couple of hours...." Do you see  
26 that?

27 A. Okay, this is from this previous page.

28 Q. Do you see that? 6468

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1 A. And then on top. Okay. Okay.

2 Q. Yes. The first full quote from Frank Cascio

3 on that page, okay?

4 A. Okay.

5 Q. Frank says, "I'm going to call you just to

6 see how you're doing, because we need to protect you

7 and your family. So I'll call you in one hour to

8 see if you're okay." And you say, "Okay," right?

9 A. Uh-huh. This is correct, being polite.

10 Q. At no time do you disagree with the

11 continually repeated idea that your family needs

12 some protection, right?

13 A. And at no time do I request it.

14 (Whereupon, a portion of a CD, Plaintiff's

15 Exhibit 809, was played for the Court and jury.)

16 Q. BY MR. MESEREAU: You tell Frank you're at

17 your mom's house. He says to you, "This is the

18 number to your mom's house," question mark, and you

19 say "Yeah," correct?

20 A. This is correct.

21 Q. Are you still telling the jury you never

22 wanted Frank to have the number to your mom's house?

23 A. He's calling at my mom's house. He asked

24 me, "Is this your mom's house?" I never gave it to

25 him. He already had it.

26 Q. Okay.

27 A. I'm at my mom's house.

28 Q. And you have no idea how Frank got the 6469

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1 number to your mom's house, true?

2 A. That's correct.

3 Q. Okay. Now, going back a little bit --

4 A. Oh, yeah, now I know how.

5 Q. I understand.

6 Going back a little bit, "I told them when

7 people neglected us, rejected us, they don't

8 know..., " and then there's a tape break. It says,

9 "Um, Baby Rubba."

10 What were you referring to when you said,

11 "People neglected us and rejected us"?

12 A. My husband, my ex-husband David Arvizo, with

13 his family.

14 Q. Were you referring to anyone else?

15 A. No. Nobody else.

16 Q. Do you remember in the rebuttal video where

17 you accused the Department of Children & Family

18 Services of neglecting your family?

19 A. Maybe it was -- maybe it was put in another

20 context, but that's what I meant. My ex in-laws.

21 Q. They're the only people you're referring to,

22 right?

23 A. That's exactly right.

24 Q. Okay. Now, in that rebuttal tape, you also

25 talk about your family being spit on and

26 discriminated against and things like that, correct?

27 A. Yes. Yes.

28 Q. And are you only referring to David's family 6470

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1 when you say that?

2 A. Part of it is David's family. And David.

3 Mostly David.

4 Q. And who's the rest of it?

5 A. Mostly David, his family. And just

6 different things like that. Different experiences.

7 Q. But in that tape you talk about more people

8 than David and his family.

9 A. Are we talking about this tape or --

10 Q. I'm asking about the rebuttal tape now,

11 okay?

12 A. Okay.

13 Q. You talk about -- excuse me, in that tape,

14 you say words to the effect, "We've been spit on,

15 we've been fried, we've been rejected because of our

16 race," and a whole bunch of things, right? You're

17 not referring to David's family when you say that?

18 A. Are you missing the point that it was all

19 scripted?

20 Q. I'm asking you a question, Miss Arvizo.

21 Could you please answer it?

22 A. Okay. Remember in the initial meeting in

23 Miami how I was just telling everything about -- to

24 the Germans? Well, obviously they were in the works

25 in doing the script since back then.

26 Q. So when you say words to that effect in this

27 conversation --

28 A. This conversation. 6471

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1 Q. -- the Brad Miller interview and the  
2 rebuttal video, you're only referring to David's  
3 family?

4 A. Brad Miller audiotape and this is referring  
5 to David's -- David mostly, with his family. But in  
6 the rebuttal, like I said, it was all scripted. All  
7 of it. It was the information that they had  
8 extracted from me and my children. And it's pretty  
9 obvious that it's very ingrained, the experiences  
10 that I have felt and gone through with my ex family,  
11 which is David's family.

12 Q. Okay.

13 A. And they put it in with their little script.

14 Q. Okay.

15 (Whereupon, a portion of a CD, Plaintiff's  
16 Exhibit 809, was played for the Court and jury to  
17 its conclusion.)

18 MR. MESEREAU: Your Honor, I think that  
19 completes the recording of the phone conversation.

20 THE COURT: Okay.

21 Q. BY MR. MESEREAU: Now, Miss Arvizo, you  
22 filed for divorce from David approximately five days  
23 after you settled the J.C. Penney case, correct?

24 A. I filed for divorce after David was arrested  
25 for domestic violence.

26 MR. MESEREAU: Your Honor, may I ask the  
27 Court to instruct the witness to answer the

28 question? 6472

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1 THE WITNESS: Well, your question was

2 about --

3 THE COURT: Just a moment.

4 Would you read the question back to the

5 witness?

6 (Record read.)

7 THE WITNESS: I don't know about that. He

8 wanted a history as far as when, and I'm telling

9 you, I filed for divorce the day after -- not the

10 day after, but after David finally was arrested for

11 domestic violence.

12 Q. BY MR. MESEREAU: In your case against David

13 for domestic violence, you told the Los Angeles

14 Police Department that he had been abusing you for

15 many years, true?

16 A. This is correct.

17 Q. You told the Los Angeles Police Department

18 that he had been abusing you since you were married,

19 correct?

20 A. This is correct.

21 Q. Had David been abusing you from the time you

22 were married?

23 A. This is correct.

24 Q. You told the Los Angeles Police Department

25 that for approximately 17 years, he had been

26 physically and emotionally abusing you, right?

27 A. This is correct.

28 Q. You also said he had been abusing your 6473

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1 children for the entire marriage, correct?

2 A. This is correct.

3 Q. But in the J.C. Penney case, when you wanted  
4 money, you said the opposite about David, didn't  
5 you?

6 A. That's incorrect. When David was arrested,  
7 I went to Rothstein's office, who was in charge of  
8 the civil -- civil proceedings, of the civil J.C.  
9 Penney's lawsuit, and I told him David has finally  
10 been arrested. I want to correct this statement  
11 that me and my children were unable to say because  
12 he was still part of our life.

13 And I went to their office, and they told me  
14 that they would take care of it. And that's why  
15 when the police asked me to waive this information  
16 of my civil lawsuit, I did happily. And yet these  
17 Rothstein people did not do that. I told them to  
18 inform J.C. Penney's and Tower Records that that  
19 information was incorrect right after David was  
20 arrested. I finally was liberated to say what  
21 actually had been going on for years.

22 Q. Miss Arvizo --

23 A. So you're inaccurate.

24 Q. Well, Miss Arvizo, do you remember having  
25 your sworn deposition taken in the J.C. Penney case?

26 A. Yes.

27 Q. And that was a case that you had filed

28 claiming you were sexually abused by J.C. Penney by 6474

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1 the security guards in a public parking lot,  
2 correct?

3 A. I gave the civil lawyers the information  
4 about what happened, just as I told the police  
5 department, the West Covina Police Department.  
6 Now, how they write their statement, how  
7 they do these paperworks, I don't know. But it's  
8 only one story. And it's been repeated over and  
9 over. How they put it in this paperwork, I don't  
10 know. I wasn't the attorney.

11 Q. Miss Arvizo, you gave a sworn deposition in  
12 that case where you were placed under oath, correct?

13 A. This is correct.

14 Q. And you filed a claim for monetary damages  
15 against J.C. Penney, correct?

16 A. This is correct.

17 Q. You were claiming that you had suffered  
18 physical injury because of what J.C. Penney security  
19 guards did to you, correct?

20 A. Tower Records.

21 Q. Correct?

22 A. This is correct.

23 Q. And to prove your claim for monetary  
24 damages, you had to explain that your physical  
25 injuries were solely the result of what J.C. Penney  
26 and Tower Records had done to you, correct?

27 A. This is correct. And they had me explain,

28 to the millisecond, of the process while I was being 6475

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1 hurt.

2 Q. Your deposition was taken on December 18th,  
3 the year 2000, correct?

4 A. Yes, while I was still married and David was  
5 with me and my children. Yes, that's correct.

6 Q. And what year did you file for divorce from  
7 David?

8 A. Approximately in 2001. When David was  
9 arrested.

10 Q. And on December 18th, the year 2000, you  
11 were asked under oath, "Has David Arvizo ever struck  
12 you," and you said, "No."

13 A. This is correct.

14 Q. You were asked under oath, "Has David ever  
15 struck your children?" You said, "No. We goof  
16 around a lot, though, play." Correct?

17 A. Yes. This is correct.

18 Q. You were not telling the truth under oath  
19 when you made those statements, correct?

20 A. But prior to settlement, I had went to  
21 the -- to Rothstein's office and I requested that  
22 they fix that, after David was arrested, because I  
23 finally could open my mouth. And this -- I want you  
24 to have a picture of this.

25 MR. MESEREAU: Move to strike, Your Honor.

26 THE WITNESS: This is when Gavin is going  
27 through chemotherapy.

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1 I'll strike her answer to that.

2 Q. BY MR. MESEREAU: Further in that

3 deposition --

4 THE COURT: Just a moment.

5 MR. MESEREAU: Oh, I'm sorry. Pardon me.

6 THE COURT: Do you want to go back to the

7 question you asked? The answer has been stricken.

8 MR. MESEREAU: Yes, if we could have it read

9 back, Your Honor, I'd appreciate it.

10 (Record read.)

11 THE WITNESS: This is correct.

12 Q. BY MR. MESEREAU: Further, in that

13 deposition, you were asked, "Have you had any

14 marital problems at all other than related to this

15 incident at J.C. Penney?" And you said "No."

16 Right?

17 A. This is correct. I was -- by the time that

18 David had gotten arrested, I was never going to tell

19 anything that he had done to me or my kids. Never.

20 Q. You lied under oath to increase the amount

21 of money you could get from what you claimed J.C.

22 Penney and Tower had done to you, right?

23 MR. ZONEN: Objection; argumentative.

24 THE COURT: Sustained.

25 Q. BY MR. MESEREAU: Now, in that deposition,

26 you were asked when you decided to file a lawsuit,

27 correct?

28 A. Correct. 6477

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1 Q. You said you decided to file a lawsuit  
2 against J.C. Penney and Tower Records two weeks  
3 or two or three weeks prior to the expiration date.  
4 Remember that?

5 A. I don't understand what your question is.

6 Q. Well, I'm just going to ask you about your  
7 answer. And I can show you the page, if you want to  
8 see it.

9 A. No, I just don't understand your question.

10 I don't know whether you're making a statement or an  
11 actual question.

12 Q. Then that's my mistake. I'll rephrase it.

13 A. Okay. That's okay.

14 Q. In your deposition under oath, in the J.C.  
15 Penney case, you were asked the question, "When did  
16 you decide to file a lawsuit?" Do you remember  
17 that?

18 A. Yes. Yes.

19 Q. And your answer was, "Two weeks or two or  
20 three weeks prior to the expiration date."

21 A. This is correct. If it's on there, it is  
22 correct.

23 Q. Then you were asked, "Was that before or  
24 after the criminal charges had been dropped?"  
25 Remember that?

26 A. Yes.

27 Q. And you said, "Way after," correct?

28 A. Yes. 6478

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1 Q. When you used the words "expiration date,"  
2 you were referring to the deadline that you had to  
3 file charges -- excuse me, file a lawsuit before,  
4 correct?

5 A. That's what I was explained.

6 Q. You would lose your right to file a civil  
7 suit if you didn't file it by a certain date,  
8 correct?

9 A. That's what I was explained by the civil  
10 attorneys.

11 Q. And --

12 A. If there's anything that sounds worth --  
13 worth of any intelligence there, that's what I was  
14 informed. No credit to me. Only to the civil  
15 attorneys.

16 Q. Well, you knew enough to say under oath that  
17 you filed your civil case before the deadline,  
18 right?

19 A. Because of attorneys had made me aware of  
20 that.

21 Q. Are you aware of the deadlines that you or  
22 your children have to file claims against Mr.  
23 Jackson?

24 A. We will never file a claim against Mr.  
25 Jackson. I want justice here.

26 Q. Are you aware, Ms. Arvizo, of the deadlines  
27 you have to file a civil claim against Mr. Jackson?

28 Yes or no. 6479

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1 A. I think so. I'm not interested, so I don't  
2 ask.

3 Q. I understand. And in this case you weren't  
4 interested until after the criminal investigation  
5 was over, correct?

6 A. I wanted an apology.

7 MR. ZONEN: Which case is counsel referring  
8 to? Vague.

9 MR. MESEREAU: I will rephrase it. The  
10 prosecutor is correct.

11 Q. In the J.C. Penney case, you waited till  
12 after a criminal investigation was over to file your  
13 civil claims, true?

14 A. I wanted an apology.

15 Q. You wanted over \$100,000, didn't you?

16 A. I didn't get over \$100,000.

17 Q. You got 152,000 in the settlement, Miss  
18 Arvizo, didn't you?

19 A. In -- in my hand, I did not get \$150,000.

20 MR. MESEREAU: May I ask the witness be  
21 instructed --

22 MR. ZONEN: I think she just answered.

23 THE WITNESS: I answered.

24 THE COURT: It was -- your question, your  
25 last question, was basically whether she got a  
26 certain amount, and she's trying to answer that.

27 Q. BY MR. MESEREAU: The settlement to you

28 and -- 6480

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1 THE COURT: Just a minute. Let her finish  
2 the answer.

3 THE WITNESS: In my hand, I received only  
4 \$32,000. That's it. In my hand. And that's my  
5 best approximation.

6 Q. BY MR. MESEREAU: Miss Arvizo, what did  
7 Gavin get in his hand from that settlement?

8 A. I don't remember, because it's been put away  
9 where it's to be untouched by me.

10 Q. What did Star get in his hand in that  
11 settlement?

12 A. Still nothing. I don't know, because  
13 it's -- it's something that's untouched by me. It's  
14 for them.

15 Q. What did David get in his hand from that  
16 settlement?

17 A. That's -- you're going to have to ask David,  
18 and yet he was not injured whatsoever.

19 Q. The total was over \$152,000 that your family  
20 was given in the settlement, true?

21 A. That you have to ask my civil attorneys.  
22 And I think his statement may be correct.

23 Q. Okay. You claimed in that case that you had  
24 bruises from what the security guards did to you,  
25 right?

26 A. It is correct.

27 Q. After you had resolved that case and

28 obtained money, you claimed that you were bruised by 6481

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1 David, true?

2 A. I had always been bruised by David for  
3 years. But I never told anyone until after David  
4 was arrested. That was the pivotal point in my  
5 life. Not until David was arrested did I say  
6 anything about bruises in my whole entire life, and  
7 that was only with people of authority. That's it.

8 Q. When you were seeking money from J.C. Penney  
9 and Tower Records, you testified under oath on  
10 December 18th, the year 2000, that you never had any  
11 black and blue marks prior to the incident at J.C.  
12 Penney, correct?

13 A. Yes, this is correct. I was too embarrassed  
14 to ever tell anyone.

15 Q. You made that statement because you wanted  
16 any injury you ever had to be attributed to J.C.  
17 Penney and Tower Records, right?

18 A. Incorrect. What J.C. Penney's and Tower  
19 Records did to me was one day, one situation, one  
20 incident. That's it.

21 Q. If you had testified truthfully under oath  
22 and said that your bruises were from David, the  
23 amount of monetary damages you could get from J.C.  
24 Penney would have been lowered, true?

25 A. This is incorrect. I would have never told  
26 anyone until David got arrested that I -- that David  
27 was giving me these bruises. Never. People would

28 see me with bruises and I would never, never, never 6482

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1 tell them.

2 Q. Did you lie under oath in your deposition in  
3 the J.C. Penney case?

4 A. I tried to remedy that when I had gone to  
5 my -- after David was arrested, I went to  
6 Rothstein's office. And I requested that they  
7 inform Tower Records and J.C. Penney's that I would  
8 like to make that correct statement because the  
9 statements that were there were incorrect. But  
10 finally me and my kids could finally say what was  
11 really happening for many, many years.

12 Q. Mrs. Arvizo, the problem you had was that  
13 when you made allegations later on against David  
14 that he had abused you for 17 years, there was a  
15 deposition that had previously been taken where you  
16 said the opposite under oath, right?

17 A. You're -- it's too long. There's a yes and  
18 no and yes and no, and now I don't know.

19 THE COURT: Let's take a break.

20 (Recess taken.)

21 THE COURT: Mr. Mesereau?

22 MR. MESEREAU: Yes, thank you, Your Honor.

23 Q. Miss Arvizo --

24 THE BAILIFF: You need to turn your  
25 microphone on, please.

26 MR. MESEREAU: Oh, thank you.

27 THE COURT: You missed a good show of hands

28 there. 6483

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1 Give it to him again, would you?

2 Look, look, look.

3 (Laughter.)

4 Q. BY MR. MESEREAU: Miss Arvizo, did you tell  
5 the jury that David was not honest in the J.C.  
6 Penney case?

7 A. Me?

8 Q. Yes.

9 A. Okay. Ask the question again.

10 Q. I'll rephrase it. Did you tell the jury  
11 words to the effect that your ex-husband David did  
12 not tell the truth in the J.C. Penney case?

13 A. Are we talking about the grand jury or the  
14 civil lawsuit?

15 Q. The civil lawsuit.

16 A. Did I tell a jury?

17 Q. Did you tell this jury today that David did  
18 not tell the truth in the J.C. Penney civil suit?

19 A. We weren't talking about David. I was  
20 telling you what I -- David had done to me and the  
21 children.

22 Q. David sued J.C. Penney with you, correct?

23 A. This is correct.

24 Q. David claimed he was injured in that parking  
25 lot with you and your children, correct?

26 A. To my -- what I was aware of is that he  
27 wasn't injured. And that's it.

28 Q. But he was suing, with you, for monetary 6484

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1 damages for being injured, right?

2 A. I came afterwards. David -- when I walked  
3 up to the situation, he was being hit by these  
4 people. So I don't know what happened prior to me  
5 arriving there. So I'm unaware.

6 Q. During the time you had your deposition  
7 taken in the J.C. Penney lawsuit --

8 A. Yes.

9 Q. -- did you consider David to be an honest  
10 person?

11 A. No.

12 Q. Do you remember testifying under oath in the  
13 J.C. Penney lawsuit that, "David is extremely  
14 honest. He's too honest"?

15 A. If that's on there, then that's correct.

16 Whatever's on the deposition is correct.

17 Q. Do you remember saying that under oath?

18 A. If it's on there, then it is.

19 Q. Would it refresh if I just show it to you?

20 A. I'm just asking, if it is on there, it's  
21 correct.

22 Q. Okay. I have to get a response from you as  
23 to whether you said that or not, okay?

24 A. If it's on there, it's correct. And it  
25 would be a yes, if it's on there.

26 Q. Would it refresh your recollection just to  
27 show it to you first? Would that help?

28 A. It's a yes. 6485

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1 Q. Your answer is "yes"?

2 A. Yes.

3 Q. You did say under oath that, "David is  
4 extremely honest. He's too honest"?

5 A. Yes.

6 Q. And you weren't telling the truth when you  
7 made that statement under oath, correct?

8 A. Anything to do with David, no. That's why I  
9 went to the civil attorneys, to try to correct that  
10 after he was arrested.

11 Q. Let me get this straight, now. You went to  
12 the civil attorneys to try and change your testimony  
13 after you collected a settlement?

14 A. Incorrect. The settlement still had not  
15 been corrected, accepted or settled. Anything like  
16 that. It was still prior.

17 Q. Now, you claimed you were assaulted in a  
18 public parking lot by J.C. Penney security guards,  
19 correct?

20 A. Plus Tower Records.

21 Q. And Tower Records, right?

22 A. That's right.

23 Q. You said you thought you were going to die,  
24 correct?

25 A. Yes.

26 Q. Did you think you were going to die in a  
27 public parking lot when you were assaulted by these

28 security guards? 6486

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1 A. Yes, I did, because it came to a point where  
2 I couldn't breathe.

3 Q. Okay. You testified the security guards  
4 were doing belly flops on top of your body, right?

5 A. That's what I was told.

6 MR. ZONEN: I'll object as beyond the scope  
7 of the 402 hearing.

8 THE COURT: The objection is overruled.

9 Do you want to read the question back to  
10 her?

11 MR. MESEREAU: Yes, please, Your Honor.

12 Thank you.

13 (Record read.)

14 THE WITNESS: This is correct.

15 Q. BY MR. MESEREAU: And you also claimed that  
16 security guards in a public parking lot pulled your  
17 breasts out of your blouse and squeezed your nipple  
18 between 10 to 25 times, correct?

19 A. No, they didn't pull my breasts out.

20 Q. What did you claim happened?

21 A. In the course of me getting beat up, I was  
22 laying flat on the floor. My breasts had came out  
23 of my bra.

24 Q. Did you testify under oath that your nipple  
25 was squeezed by one of the guards 10 to 25 times?

26 A. At this moment, the attorney, who was the  
27 defense attorney, wanted me to describe everything

28 by the millisecond, even though, in my depositions, 6487

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1 I keep saying, over and over, "It was like this. It  
2 was like this." And instead, he wanted me to go  
3 millisecond per millisecond, so I described it the  
4 best I could as it was happening. But if you  
5 fast-forward, that would have been fast.

6 Q. And how did you describe the sexual assault?

7 A. Like I said, the wording as far as how the  
8 civil attorneys did, that was their choice of words.  
9 There was only one, how I described it, and that's  
10 how they put it in.

11 Q. Please tell the jury how you were sexually  
12 assaulted.

13 A. Well, to me - me - I feel that my breast  
14 area and anything to do with my -- with down there,  
15 my private area, is considered my sexual organs.  
16 That's how I see it and how I feel about it. So if  
17 you place your hands on me in that area, I'm going  
18 to say that.

19 Q. And please tell the jury how you were  
20 sexually assaulted in that public parking lot.

21 A. Okay. When I was laying on the floor, while  
22 they're beating on me, one of the Tower Records  
23 guys, who incidentally -- this can be verified. I  
24 think he was also fired for doing this to some other  
25 people after this, so -- but this person, while I  
26 was laying on the floor getting beat up, he had his  
27 hand over and over on my breast and on the front

28 area of my private area. My pants were on. There 6488

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1 was no intercourse, no rape, no nothing like that.

2 I was just trying to describe that his hands were on  
3 my breasts, which I think I repeatedly kept saying I  
4 just wanted his hands off of me, and that's it.

5 Q. Do you remember testifying your nipple was  
6 squeezed 10 to 25 times?

7 A. Yes. Again, it was he wanted me -- to  
8 humiliate me, like he's trying to do at this moment,  
9 and making me to say it millisecond per millisecond.

10 Q. You testified to these facts to get money,  
11 true?

12 A. It was a civil lawsuit, yes, it was.

13 Q. Now, you claim in that lawsuit that Gavin's  
14 cancer was made worse by the security guards, true?

15 A. I don't think so. I think -- I think I said  
16 something that Gavin was having the chemotherapy at  
17 this time when they wanted the deposition to occur.

18 Q. You also claim that Star's cyst was made  
19 worse by the security guards, correct?

20 A. Incorrect.

21 Q. Did you ever make such a claim?

22 A. Incorrect.

23 Q. What did you say about Star in that  
24 situation?

25 A. I think -- and this is the best I can  
26 remember, and we're talking 1998 here when this  
27 happened. This is the best I can try to remember.

28 He's got a big, giant book right there, and I have 6489

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1 nothing in front of me.

2 And, let me see, I think what happened was

3 when we went to the doctors, they did -- they put

4 him in this tube, and when it came out, they ended

5 up telling me that Star has a cyst on his brain, but

6 this is something that is -- that Star has. That's

7 it. Has nothing to do with J.C. Penney's lawsuit.

8 I'm -- of course, getting hit on the head doesn't

9 help if you've got a cyst on your brain.

10 Q. Do you know someone named Mary Holzer?

11 A. Yes, I do.

12 Q. Please tell the jury who Mary Holzer is.

13 A. Mary Holzer is a giant Michael Jackson fan.

14 And she's also a -- an office manager. This is my

15 understanding. She told me she was an office

16 manager for Rothstein civil law -- civil law firm.

17 Q. And who is the Rothstein civil law firm?

18 A. The Rothstein civil law firm is a firm that

19 was responsible for the lawsuit.

20 Q. Do you remember, after you had settled that

21 case, telling Mary Holzer that you lied in the case?

22 A. That is inaccurate.

23 Q. Okay. Do you remember telling Mary Holzer

24 that David's brother is in the Mexican mafia?

25 A. That's incorrect.

26 Q. And that he sells drugs here and in Las

27 Vegas?

28 A. That's incorrect. 6490

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1 Q. You said, "He's going to come after you and  
2 your daughter if you ever tell anyone what I'm  
3 revealing to you"?

4 A. Incorrect.

5 Q. Okay. So that never happened, right?

6 A. That never happened.

7 Q. And if Mary Holzer comes into court and says  
8 that, she'd be lying; is that correct?

9 MR. ZONEN: Objection; argumentative.

10 THE WITNESS: Yes, she would. Yes, she  
11 would.

12 THE COURT: Just a moment.

13 The objection to the question is sustained.

14 The question and answer are stricken.

15 Q. BY MR. MESEREAU: How many lies under oath  
16 do you think you told in your depositions in the  
17 J.C. Penney case?

18 A. Like I said, I tried -- after David was  
19 arrested, I went to the Rothstein office and I  
20 pointed out to them, prior to a settlement  
21 agreement, that I would like to correct the  
22 statements that were inaccurate, because finally  
23 David was arrested. Finally, we and my children  
24 could speak. And Rothstein, including with Mary  
25 Holzer, said, "Don't worry. We'll take care of it."  
26 And they didn't. So I considered their firm  
27 a -- liars.

28 Q. But not you, right? 6491

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1 A. That's correct.

2 MR. ZONEN: Objection; argumentative.

3 THE COURT: Sustained. The remark's

4 stricken.

5 You're admonished not to make those remarks.

6 MR. MESEREAU: Yes, Your Honor.

7 Q. You testified in that deposition in the J.C.

8 Penney case that you had worked as an undercover

9 agent. Do you remember that?

10 A. Me?

11 Q. Yes.

12 A. Yes.

13 Q. Where did you --

14 A. I don't think the way you're using it is

15 correct.

16 Q. Remember you said you had worked in internal

17 security?

18 A. What he's trying to say, he's trying to make

19 it bigger than it is. I used to be a loss

20 prevention agent way back in -- I think it was 1990.

21 We're talking about 15 years ago. That's my best

22 estimate. I used to work at Von's. Just, you know,

23 people that took an orange, took a banana, things

24 like that.

25 Q. Remember you were asked the question, "And

26 you were an undercover type of agent?" And you

27 answered, "Yes"?

28 A. Yes. That's what they called it. It was 6492

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1 loss prevention agent. You wore plain clothes and  
2 you stopped people when they take items without  
3 purchasing them from the market, from Von's market.  
4 A grocery store.

5 Q. How long did you work in that capacity?

6 A. I think I worked there for -- my best  
7 estimate, best estimate, maybe - this was about 15  
8 years ago - maybe about one year. Maybe. My best  
9 estimate. This is having to recall 15 years ago.

10 Please, this is an approximation of dates.

11 Q. You testified in that case that security  
12 agents in the public parking lot punched you,  
13 correct?

14 MR. ZONEN: Which case are we talking about?

15 Von's?

16 THE WITNESS: Yes.

17 MR. MESEREAU: J.C. Penney case. Was there  
18 a case against Von's?

19 I haven't have said that, Your Honor.

20 THE COURT: You're right, you shouldn't  
21 have.

22 The District Attorney, you're admonished to  
23 object according to the legal standards for  
24 objections.

25 MR. ZONEN: The objection is vague, then,  
26 Your Honor.

27 THE COURT: It's a little late.

28 I'm not going to allow you to engage in that 6493

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1 type of conversation with each other or with the  
2 witness.

3 MR. MESEREAU: I apologize.

4 THE COURT: Do you want me to shut the trial  
5 down this afternoon?

6 MR. MESEREAU: No, Your Honor, I don't.

7 THE COURT: Then let's start taking this  
8 seriously and act correctly.

9 MR. MESEREAU: Yes, Your Honor.

10 THE COURT: Go ahead.

11 Q. BY MR. MESEREAU: In the J.C. Penney case,  
12 you claimed under oath that you were punched with  
13 closed fists in the parking lot of J.C. Penney,  
14 correct?

15 A. Yes.

16 Q. You also claim that you were punched with  
17 handcuffs, like they were brass knuckles, correct?

18 A. Read -- what are you talking about? If I  
19 said that I was beat up, that includes everything  
20 they did.

21 You know, he wants me to recall something  
22 that happened in 1998 and break it down while he's  
23 got a big, giant book right here.

24 Q. In the J.C. Penney case, did you claim under  
25 oath that you were punched with handcuffs as if they  
26 were brass knuckles?

27 A. I remember -- I remember seeing the female

28 having the handcuffs inside her fingers like this. 6494

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1 That's what I remember seeing.

2 Q. And after being punched all these times in  
3 the parking lot, you said you thought you were going  
4 to die and it was like you were in a cave in a  
5 tunnel. Do you remember that?

6 A. Yes, it did feel that way. It did feel that  
7 way.

8 Q. You said security guards were punching Gavin  
9 and Star, correct?

10 A. Can you please read -- bring me that where  
11 it says that?

12 Q. Okay.

13 A. Because my son -- both of my sons were hurt.

14 Q. Were they hurt by security guards?

15 A. No, bring me --

16 Q. Were they hurt by security guards?

17 A. Yes, they were.

18 Q. Okay. You said Gavin didn't get up. He  
19 just laid on the floor, right?

20 A. I think -- he's being general. My son was  
21 pushed and -- by one of them, causing his elbow to  
22 fracture. He ended up having a fracture, so --

23 Q. And you said Gavin had cancer in both his  
24 lungs, right?

25 A. Now, are we going at that time?

26 Q. Yes, at that time.

27 A. Okay. He's mixing up the facts purposely.

28 When my son was deposed in 2000, he had 6495

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1 cancer. And they had -- progressively it went to  
2 both of his lungs. At that time when both my  
3 boys -- the summer of first grade when this happened  
4 with J.C. Penney's, no, he did not have cancer. But  
5 when he was deposed, yes, he did.

6 Q. And he had cancer in both of his lungs at  
7 that point, right?

8 A. Yes.

9 Q. Okay.

10 A. Stage IV.

11 Q. Do you know an attorney named George Owen  
12 Feldman?

13 A. No, I don't know him.

14 Q. Has George Owen Feldman ever represented  
15 you, to your knowledge?

16 A. Never.

17 Q. Would it refresh your recollection if I just  
18 showed you a document you signed with his name on  
19 it?

20 A. Sure. Go ahead.

21 MR. MESEREAU: May I approach, Your Honor?

22 THE COURT: Yes.

23 THE WITNESS: Okay. And I think that's  
24 something that your office, Mr. -- Mr. Sneddon's  
25 office --

26 THE COURT: Just a minute. There's no  
27 question pending.

28 THE WITNESS: Oh, okay. I was ready to -- 6496

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1 THE COURT: Just a moment.

2 THE WITNESS: Okay.

3 THE COURT: Go ahead, Counsel.

4 MR. MESEREAU: Okay.

5 Q. Have you had a chance to look at that  
6 document?

7 A. Yes, I have.

8 Q. Does it refresh your recollection about who  
9 George Owen Feldman is?

10 A. I've never been represented by George Owen  
11 Feldman, but I understand what he's trying to say,  
12 the paperwork.

13 Q. So you never have been represented by that  
14 lawyer, right?

15 A. Never.

16 MR. ZONEN: Objection; asked and answered.

17 THE WITNESS: Never.

18 THE COURT: Sustained.

19 Q. BY MR. MESEREAU: Do you remember testifying  
20 under oath in the J.C. Penney deposition that you  
21 weren't interested in suing?

22 A. I wanted an apology.

23 Q. Did you ever withdraw your suit for money?

24 A. No.

25 Q. Are you telling the jury that you blame your  
26 descriptions of what happened to you on your  
27 attorneys?

28 A. What? 6497

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1 Q. Are you telling this jury that you blame the  
2 way you describe your injuries in that case on your  
3 lawyers?

4 A. No. Like -- I'm going to try to make out  
5 what he's trying to say. However I spoke to them  
6 and however they communicated to the court, that's  
7 how it was.

8 Q. Did you testify under oath the way your  
9 lawyers told you to? Is that what you're saying?

10 A. What?

11 Q. Did you testify under oath in that  
12 deposition the way your lawyers told you to?

13 A. No.

14 Q. Are you blaming your descriptions about what  
15 happened to you in the parking lot on your lawyers?

16 MR. ZONEN: Objection. Vague as to

17 "descriptions."

18 THE COURT: Overruled.

19 You may answer.

20 THE WITNESS: Okay. I'm going to try -- I'm

21 trying to feel for what he's asking.

22 How I communicate -- communicated to him, to

23 them, is once. As I told the police, I told them.

24 Now, what they -- how they put it on paper,

25 I have no control of that. He was not -- I wasn't

26 one of the knights of the round table sitting there

27 and coming up with proper words what to say.

28 That's it. One story. That's it. The same one I 6498

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1 told to the police.

2 Q. BY MR. MESEREAU: When did you meet Michael  
3 Jackson?

4 A. I think it was, my best estimate, August of  
5 2000.

6 Q. Do you remember signing a document prepared  
7 by the Santa Barbara Sheriff's Department on  
8 December 18th, 2003?

9 A. Okay, I think -- is it the paper you just  
10 showed me?

11 Q. Yes. But I have a --

12 A. I can't answer unless you tell me exactly.

13 You know, there was a lot of paperwork.

14 Q. Would you like to see it?

15 A. Well, I'm asking you, please, is it the same  
16 one that you just came up here and showed me?

17 Q. It is.

18 A. Okay. Then, yes. I've signed many  
19 paperworks of theirs.

20 Q. Let me ask you the question again.

21 A. Okay.

22 Q. Do you recall signing a document prepared by  
23 the Sheriff's Department of Santa Barbara County on  
24 December 18th, 2003?

25 A. I think so.

26 Q. Would it refresh your recollection just to  
27 look at the date and your signature?

28 A. No. That's -- is that the one that you just 6499

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1 showed me?

2 Q. It is.

3 A. Then -- then, yes.

4 Q. You did sign that document --

5 A. Yes.

6 Q. -- on December 18th --

7 A. Yes.

8 Q. -- 2003?

9 A. Yes.

10 Q. All right. Now, do you remember signing a  
11 document prepared by the sheriff's department that  
12 said the following: "From time to time, between  
13 January 1st, 2000, and the present date, I consulted  
14 one or more of those lawyers concerning Michael  
15 Jackson's interaction with me and my children at  
16 Neverland Ranch in Santa Barbara County and  
17 elsewhere, in this and other states, and concerning  
18 the return of some furniture stored by or in the  
19 name of Brad Miller at Dino's Storage in North  
20 Hollywood, Los Angeles County."

21 Do you remember signing a document that had  
22 those words?

23 A. Do you want me to have the document, like --  
24 we've had this discussion over since August.

25 MR. MESEREAU: Object, Your Honor.

26 THE WITNESS: Since August, the same  
27 thing --

28 THE COURT: Just a moment. I want you to 6500

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1 answer the question. The question is, do you  
2 remember signing that document?

3 THE WITNESS: Yes. Yes.

4 Q. BY MR. MESEREAU: And the document said that  
5 you had started investigating Michael Jackson  
6 sometime between January 1st, 2000, and the date you  
7 signed the document, which is December 18th, 2003,  
8 right?

9 A. Yes. If that's -- those words are on there.

10 Q. Why would you start investigating Michael  
11 Jackson around January 1st, 2000, if you didn't meet  
12 him till August 2000?

13 A. Okay. Let me explain something to you. And  
14 this has already been discussed, and he knows the  
15 answers. This was discussed at the end of  
16 September.

17 MR. ZONEN: I'm going to object to this part  
18 of the answer as nonresponsive.

19 THE COURT: Sustained.

20 THE WITNESS: This -- when the sheriffs were  
21 doing their investigation, they wanted to know every  
22 single detail about me. George Owen Feldman is -- I  
23 think he's associated in the same law firm of  
24 Rothstein.

25 So the -- the police department did an  
26 extensive, extensive search on me as a person, and  
27 so they want -- they put everything in a general

28 form so they can have access to everything about me 6501

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1 and my past, because they wanted to verify and make  
2 sure that what they were going to do towards this  
3 goliath was going to be accurate and truthful. And  
4 that's why this -- this paper was made in such a  
5 general way.

6 Q. BY MR. MESEREAU: Are you now telling the  
7 jury that George Owen Feldman did represent you?

8 A. No, he didn't represent me.

9 Q. At any time?

10 A. No, he didn't represent me. He is one of  
11 the people inside the civil law firm. But my  
12 understanding -- my understanding was that it was  
13 only the Rothstein -- Rothstein and another attorney  
14 named Adler, another attorney named Ramieri. That  
15 was my understanding, and it still is today.

16 Q. Let me try and ask the question again -  
17 okay? - in a clearer form, because perhaps I was not  
18 clear. And I apologize if I wasn't.

19 You signed a document that said from time to  
20 time between January 1st, 2000, and the date you  
21 signed the document, you were investigating Michael  
22 Jackson through various lawyers, correct?

23 A. Okay. There's more information on that  
24 paperwork which he purposely has taken out of  
25 context. It's -- certain events are attached to  
26 specific attorneys. Certain situations are attached  
27 to certain attorneys.

28 Like I said, the police wanted to do an 6502

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1 extensive, thorough investigation on me prior to  
2 doing it on him. So they wanted everything about  
3 me. So they made it in a general form. But he  
4 keeps taking it out of context.

5 MR. MESEREAU: I don't want to offend the  
6 Court, Your Honor. I don't think I actually got an  
7 answer to that, but I will leave it to the Court's  
8 discretion.

9 THE COURT: Ask your next question.

10 MR. MESEREAU: Yes, Your Honor.

11 Q. You did sign this document, correct?

12 A. Yes, I did.

13 MR. MESEREAU: I would move it into  
14 evidence, Your Honor.

15 THE COURT: It's admitted.

16 MR. ZONEN: I will object, given the prior  
17 ruling dealing with confidentiality of the --

18 MR. MESEREAU: It's redacted.

19 MR. ZONEN: Perhaps we could argue this at  
20 the next break or the conclusion of the proceedings.

21 THE COURT: All right. I'll withhold ruling  
22 on it, on its admissibility, till --

23 MR. MESEREAU: Shall I submit it to your  
24 clerk, Your Honor?

25 THE COURT: Have you numbered it?

26 MR. MESEREAU: I have not.

27 THE COURT: Will you do that now, so we have

28 a record of what you're talking about? 6503

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1 THE CLERK: 5007.

2 THE COURT: 5-0 --

3 THE CLERK: 5007.

4 THE COURT: All right. I'll withhold ruling  
5 until we hear from the District Attorney.

6 MR. MESEREAU: Yes, Your Honor, at this time  
7 we'd like to play the rebuttal tape.

8 MR. SANGER: Exhibit 340.

9 THE COURT: 340.

10 Are you ready?

11 (Whereupon, a portion of a DVD, Plaintiff's  
12 Exhibit 340, Disk 1, was played for the Court and  
13 jury.)

14 Q. BY MR. MESEREAU: Now, Miss Arvizo, you are  
15 laughing at various times during this tape. Was  
16 that something that you scripted in advance?

17 A. I was nervous. Brad Miller was standing  
18 right next to the camera, right in front of me.

19 Q. Was the laughing something that you scripted  
20 in advance?

21 A. Yes. Also, Dieter wanted that included.

22 Q. Is everything that your son is saying  
23 memorized?

24 A. Everything -- they took all the information  
25 from us, information that did exist, back from  
26 Miami, and information that they had already, they  
27 studied us and got background information --

28 MR. MESEREAU: Move to strike, Your Honor. 6504

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1 THE WITNESS: -- and then they put it all  
2 together.

3 THE COURT: Just a moment.

4 THE WITNESS: I answered your question.

5 THE COURT: I think that could be answered  
6 "yes" or "no." The question is, "Is everything that  
7 your son is saying memorized?"

8 THE WITNESS: Everything is -- is going  
9 according to what Dieter had scripted.

10 THE COURT: Go ahead.

11 Q. BY MR. MESEREAU: Is it memorized?

12 A. I think so.

13 Q. Okay.

14 (Whereupon, a portion of a DVD, Plaintiff's  
15 Exhibit 340, Disk 1, was played for the Court and  
16 jury.)

17 Q. BY MR. MESEREAU: Ms. Arvizo, were the words  
18 you just articulated on that tape all memorized?

19 A. Yes.

20 Q. Were you lying on this tape?

21 A. No. I'm a poor actress. That's why they  
22 started the proceeding to go do the passport and the  
23 visa. That's what Vinnie had communicated to me;  
24 that what I did was inadequate.

25 Q. You were not lying on this tape?

26 A. Acting.

27 Q. Let me rephrase the question.

28 The jury just heard the words you expressed 6505

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1 on the tape, right?

2 A. Correct.

3 Q. Were they lies?

4 A. Acting.

5 MR. MESEREAU: Your Honor, may I request

6 that the witness be instructed to answer the

7 question?

8 THE COURT: Well, the question was, "Were

9 they lies?" And she said, "Acting."

10 MR. MESEREAU: I can rephrase it, Your

11 Honor.

12 Q. When you said what the jury just heard you

13 say on this tape, were you telling the truth?

14 A. I was acting. I don't know how you want me

15 to define it. I mean, you're not going to call

16 Halle Berry and say, "Are you Catwoman?" She's

17 going to tell you she's acting. She's just acting.

18 She's not a liar.

19 I was acting. That's it.

20 Q. Are the words you said on that tape the

21 truth?

22 MR. ZONEN: Objection; asked and answered.

23 THE COURT: Sustained.

24 (Whereupon, a portion of a DVD, Plaintiff's

25 Exhibit 340, Disk 1, was played for the Court and

26 jury.)

27 Q. BY MR. MESEREAU: Ms. Arvizo, was what you

28 just said about Michael Jackson being fatherly the 6506

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1 truth?

2 A. Everything on here was choreographed by  
3 Dieter and Ronald, specifically Dieter, and it's all  
4 acting. And I failed at that.

5 Q. Are the words you spoke true or false?

6 A. The words I spoke were part of a script.

7 Q. Were you telling the truth or not?

8 A. I was acting.

9 Q. Was Gavin telling the truth or not, as far  
10 as you were concerned?

11 A. As far as --

12 MR. ZONEN: I think that's speculative.

13 I'll object.

14 THE COURT: It's overly broad. I'll sustain  
15 the objection.

16 Q. BY MR. MESEREAU: Was it your belief that  
17 Gavin was acting in this tape?

18 A. Yes, because I had seen Dieter work with my  
19 children prior to Jesus taking us back to my mom's  
20 house. I had seen Dieter work with me and my  
21 children.

22 Q. Did you believe that what Gavin was saying  
23 was true or false?

24 A. I believe, like I told you, Dieter had  
25 worked with us continuously on this script.

26 Q. Did you believe what Gavin said was the  
27 truth or not?

28 A. I believe what he was saying was keeping to 6507

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1 the script.

2 (Whereupon, a portion of a DVD, Plaintiff's  
3 Exhibit 340, Disk 1, was played for the Court and  
4 jury.)

5 Q. BY MR. MESEREAU: Now, Ms. Arvizo, you said  
6 that you and your children were neglected and spit  
7 on, right?

8 A. Yes.

9 Q. And who were you referring to?

10 A. They took elements of my life and my  
11 children's life which were truthful and incorporated  
12 it into their script. And this happened in the  
13 initial meeting in Miami. They already had -- they  
14 were already in the works on this. It took me a  
15 while to find out. And it's taken many other people  
16 to find out later, too.

17 Q. Who neglected your family?

18 A. In this script, everything is scripted. But  
19 if you're making a general question, you already  
20 have the specifics on that.

21 Q. When you said your family was spit on, who  
22 were you referring to?

23 A. On this rebuttal thing, everything is  
24 scripted. They took elements of mine and my  
25 children's life which were true and incorporated in  
26 here.

27 Q. When you said, "Everybody tossed us aside,"

28 who were you referring to? 6508

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1 A. This is all scripted here.

2 Q. When you said, "We weren't in the right zip  
3 code, and we weren't the right race," what were you  
4 referring to?

5 A. This was all scripted.

6 For those answers, you need to ask Dieter.

7 Q. But wouldn't you agree that on numerous  
8 other occasions you said exactly the same thing?

9 A. That's correct.

10 Q. You even said words to that effect on that  
11 phone call you had with Frank when you didn't know  
12 you were being recorded.

13 A. That's correct.

14 Q. And your answers weren't scripted there,  
15 were they?

16 A. No, they weren't. They -- like I said, they  
17 took elements of mine and my life -- mine and my  
18 children's life and put it into this script.

19 Q. Well, not referring to what you say on this  
20 tape, but referring to what you said on other  
21 occasions when you didn't know you were being  
22 recorded, what did you mean when you said, "Our  
23 family has been neglected and spit upon," et cetera?  
24 What were you talking about?

25 A. Outside this rebuttal, we're talking about  
26 David.

27 Q. Okay.

28 (Whereupon, a portion of a DVD, Plaintiff's 6509

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1 Exhibit 340, Disk 1, was played for the Court and  
2 jury.)

3 Q. BY MR. MESEREAU: Now, Ms. Arvizo, you had  
4 been very critical of David for not defending you  
5 and your children like a father should, correct?

6 A. He would have to defend us from his own  
7 self.

8 Q. Were you critical of David for not defending  
9 you in the J.C. Penney case the way you thought he  
10 should?

11 A. I was not critical.

12 Q. Never were?

13 A. No, I was just -- he just stood there.

14 Q. Didn't you say that you had -- excuse me.

15 Let me rephrase the question.

16 Didn't you say on one occasion that you  
17 would forgive David for not acting like a man in  
18 that parking lot?

19 A. I don't remember clearly, but I can -- I can  
20 try to recall for you.

21 I'm getting beat up on the floor. And the  
22 history is David had always been beating me up. And  
23 this one moment that he could have done something  
24 for me, he allowed these people to beat on me while  
25 I was laying flat on the floor, while he stood like  
26 a coward on -- it was like a little sidewalk.  
27 That's where he stood.

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28 If that's what you want -- 6510

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1 Q. Okay.

2 A. -- that's the best I can recall.

3 Q. Now, you say in this tape about -- excuse  
4 me. Davellin says in this tape, about Michael, "The  
5 fact that he stood up and defended us, that's a  
6 father." Was that just scripted?

7 A. Okay. All this on the video, plus the  
8 outtakes, everything is scripted. Michael, when we  
9 arrived in Miami, he had like a 45-minute  
10 lovey-dovey meeting with us.

11 Q. Okay. And they started scripting it in  
12 Miami?

13 A. They must have. They must have started all  
14 this stuff way before I was even called up -- up to  
15 Miami. They must have.

16 Q. So they were scripting you in Miami, but you  
17 didn't know what they were doing, right?

18 A. Like I said, we're going to have to call  
19 Ronald, Dieter, all of them in here to find out what  
20 they were up to. Or Michael, he could come up here.

21 Q. Were you being scripted in Miami without  
22 knowing it?

23 A. I don't know. I don't know.

24 (Whereupon, a portion of a DVD, Plaintiff's  
25 Exhibit 340, Disk 1, was played for the Court and  
26 jury.)

27 Q. BY MR. MESEREAU: Miss Arvizo, is what you

28 just said memorized? 6511

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1 A. Yes. And -- yeah.

2 (Whereupon, a portion of a DVD, Plaintiff's  
3 Exhibit 340, Disk 1, was played for the Court and  
4 jury.)

5 Q. BY MR. MESEREAU: As far as you were  
6 concerned, was everything Gavin just said memorized?

7 A. As far as I'm concerned. Like I say, I  
8 pointed out, Dieter had worked on us, with us. And  
9 also, I would like to maybe help you remember, this  
10 was --

11 MR. MESEREAU: Could I get a "yes" or "no"  
12 answer, Your Honor?

13 THE COURT: Yes. Do you want the question  
14 read back?

15 THE WITNESS: Sure, please.

16 (Record read.)

17 THE WITNESS: Yes.

18 (Whereupon, a portion of a DVD, Plaintiff's  
19 Exhibit 340, Disk 1, was played for the Court and  
20 jury.)

21 Q. BY MR. MESEREAU: Now, Ms. Arvizo, you say  
22 that because you're with Michael, you don't have  
23 money problems, correct?

24 A. Scripted. And remember, this is being  
25 filmed at 3 a.m., right before the CPS meeting.

26 Q. Now, you say that everything the jury has  
27 just watched and heard on this videotape was

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28 memorized and rehearsed, right? 6512

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1 A. Yes. And while I was over here, in Jay  
2 Jackson's apartment they had their claws in my three  
3 kids.

4 Q. How long did it take all of you to memorize  
5 all the words that the jury just heard you say?

6 A. Well, they worked -- Dieter -- while I was  
7 there, in my presence, Dieter worked, well, with us  
8 daily, and about on the average of ten times a day.

9 And then when I came over here, and the children  
10 were over there, who knows how many times. That you  
11 would have to get from my children.

12 Q. Let's talk about you only. You said you sat  
13 down with Dieter ten times a day, correct?

14 A. My best estimate.

15 Q. And where did you do that?

16 A. In one of the guesthouses, the one that  
17 looked like the little boy's room. That one.

18 Q. This is the first time, after numerous  
19 police interviews and after going to the grand jury,  
20 that you've ever said, "I met with Dieter ten times  
21 a day to memorize my words," right?

22 A. No, I said, "Many times daily."

23 Q. Okay.

24 A. That's my words, but you want specific  
25 answers.

26 Q. So you said everything the jury just heard  
27 was memorized, and I'm just asking you how long it

28 took you to memorize all of it. 6513

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1 A. How long?

2 Q. Do you think.

3 A. Well, I didn't do a good job.

4 Q. How long do you think it took you to

5 memorize all of this?

6 A. I couldn't give you an answer.

7 Q. Was it all memorized word for word?

8 A. I did my best.

9 Q. And was it all written out in advance?

10 A. Yes, it was.

11 Q. So how -- how many pages were in this

12 script, if you know?

13 A. Well, at the end of the video right here,

14 you can see Christian have the script himself. And

15 probably Bradley Miller also had it, because he was

16 standing right next to the cameraman right in front

17 of us. Brad Miller's job was to report to Dieter if

18 we did everything we were supposed to do.

19 Q. Was everything written out word for word in

20 advance?

21 A. Yes.

22 Q. Okay.

23 A. They're very detailed.

24 Q. And you just memorized every page, true?

25 A. I did my best.

26 Q. Okay.

27 A. And I failed.

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28 MR. SANGER: That was the end of that first 6514

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1 disk. We have the second disk.

2 THE COURT: I understand.

3 You ready?

4 MR. MESEREAU: Yes, Your Honor.

5 MR. SANGER: Oh, we've got to -- just a  
6 second.

7 THE COURT: Do you want me to put it on  
8 "Black"?

9 MR. SANGER: Oh, you can leave it on. I

10 just wanted to squelch the high-pitched tone that  
11 would be otherwise heard.

12 THE COURT: That was pretty good of you to  
13 remember that.

14 (Whereupon, a portion of a CD, Plaintiff's  
15 Exhibit No. 340, Disk 2, was played for the Court  
16 and jury.)

17 Q. BY MR. MESEREAU: Miss Arvizo, was what you  
18 just said memorized word for word?

19 A. Yes, I tried to do my best.

20 MR. MESEREAU: Do you want to take a break  
21 at this point, Your Honor?

22 THE COURT: That would be good. Thank you.

23 (Recess taken.)

24 THE COURT: Mr. Mesereau?

25 MR. MESEREAU: Yes, thank you, Your Honor.

26 Q. Miss Arvizo, before we continue with the  
27 tape, I'd like to clarify something. Did you tell

28 the jury earlier that even the outtakes were 6515

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1 scripted?

2 A. Yes. Everything. The whole entire -- from  
3 the moment we got to Hamid's house, Brad Miller  
4 there -- was there, Michael's P.I.

5 Q. So when you said about Gavin, "He was doing  
6 gang signs. That was what he was doing. He's --  
7 he shot out to his friends on the west side," was  
8 that all scripted?

9 A. Everything; everything was scripted.

10 Q. Okay. We can continue.

11 THE BAILIFF: You need to push the "DVD"  
12 button.

13 MR. SANGER: I pushed "DVD." I'm going to  
14 pause for a second. Shall we just pick up? We  
15 missed ten seconds, but I'll just go ahead.

16 Q. BY MR. MESEREAU: Now, Miss Arvizo, this is  
17 the portion of the videotape where you refer to the  
18 Department of Child Social Services, right?

19 A. Yes.

20 Q. And you told the jury that you were  
21 criticized for referring to them in the videotape,  
22 right?

23 A. As I told you before, I got in trouble by --  
24 because I mentioned -- I went off the script with  
25 God, cancer, and the Child Welfare Services, those  
26 three things --

27 Q. Okay.

28 A. -- specifically, Vinnie told me. 6516

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1 Q. So now you're off the script --

2 A. Yes.

3 Q. -- when you criticize the Department of  
4 Child Social Services, right?

5 A. Yes.

6 Q. You were speaking of your own free will when  
7 you said that, correct?

8 A. Yes.

9 Q. And when you said, "So where are all these  
10 people that -- that have all of a sudden this care  
11 and concern throwing the child advocacy group on me,  
12 the Department of Child Social Services," you were  
13 telling the truth, correct?

14 A. At that point where I went off, God, the  
15 Child Welfare Services, and the cancer, so that one  
16 word.

17 Q. Were you criticizing the Department of Child  
18 Social Services?

19 A. No. That one word I went off the script,  
20 and so I got in trouble for it.

21 Q. Were you criticizing the Department of Child  
22 Social Services?

23 A. No. That was part of the script, the child  
24 advocacy.

25 Q. That was part of the script?

26 A. Yes. I added the -- the Child Welfare  
27 Services in a way that was off the script.

28 Q. And why were you criticizing that agency? 6517

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1 A. Well, I had the Child Welfare Services  
2 meeting that morning, and it blurted out, so I got  
3 in trouble for it.

4 Q. Were you worried about the meeting?

5 A. No -- yeah, I was worried about the meeting,  
6 so I got in trouble for that.

7 Q. So you were being critical of DCFS, correct?

8 A. No, no, I wasn't. That came out.

9 Q. It came out, but you were --

10 A. No, the word, the one word, "Child"....

11 MR. MESEREAU: We can move on. /

12 (Whereupon, a portion of a DVD, Plaintiff's  
13 Exhibit 340, Disk 2, was played for the Court and  
14 jury.)

15 Q. BY MR. MESEREAU: Ms. Arvizo, everything  
16 said in this interview was memorized, correct?

17 A. Everything was except for what I got in  
18 trouble for. Those are the three things. I was  
19 supposed to say that Michael healed Gavin --

20 MR. MESEREAU: Your Honor, could I -- could  
21 the Court admonish the witness to just answer the  
22 question?

23 THE COURT: Yes.

24 Just answer the question.

25 THE WITNESS: I thought I was answering it.

26 THE COURT: Yes, go ahead.

27 Q. BY MR. MESEREAU: Everything was memorized

28 word for word, right? 6518

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1 A. Yes, except when I blurted out the little  
2 meeting that I was going to have in a matter of  
3 hours. I wasn't supposed to blurt that out. And I  
4 did. I failed.

5 Q. Now, you told the jury yesterday that during  
6 this period of time where you claim your family was  
7 falsely imprisoned, that you never reported it to  
8 the police, correct?

9 A. Correct.

10 Q. And you told them that you didn't report it  
11 to the police because you thought no police officer  
12 in Los Angeles would believe you, correct?

13 A. That's correct.

14 Q. And because you thought no police officer  
15 would ever believe you, you never talked about being  
16 held against your will, right?

17 A. Is that a question?

18 MR. ZONEN: Objection; vague. To whom?

19 MR. MESEREAU: Let me rephrase it.

20 Q. What is the period of time that you claim  
21 you and your family were held against your will by  
22 people associated with Mr. Jackson?

23 A. From -- approximately from February to  
24 March.

25 Q. And --

26 A. That's my best estimate.

27 Q. And what date was this rebuttal video, if

28 you know? 6519

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1 A. This was -- the best I can remember is being  
2 taken there on the 19th about 11 p.m. at night,  
3 approximately. And then it went into the morning of  
4 the 20th, was filmed at about 3 a.m. And that  
5 morning, about nine o'clock, was the meeting.

6 Q. During the time you claim your family was  
7 held against their will, were you in contact with  
8 any police officers?

9 A. No.

10 Q. Do you know a Los Angeles police officer  
11 named Andrew Lassak?

12 A. Officer Lassak, yes, I do.

13 Q. Who is Officer Lassak?

14 A. Officer Lassak is a friend.

15 Q. How long has he been your friend?

16 A. He's been my friend since I think  
17 approximately -- let me see. Oh, you know, after  
18 David was arrested from domestic violence. That  
19 period of, I think, about 2001.

20 Q. And during the period of time you claim you  
21 were being held against your will, you were  
22 communicating with Andrew Lassak, correct?

23 A. No, that's incorrect.

24 Q. Well, do you remember an interview you had  
25 with the Santa Barbara Sheriff's Department where  
26 you mentioned Andrew Lassak?

27 A. Yes.

28 Q. Remember while you were discussing what 6520

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1 Vinnie was doing, you told the interviewer, "He's  
2 one of the LAPD officers that I had told him about  
3 things that were happening?" Do you remember that?  
4 A. I don't think you're saying it correctly.  
5 You're leaving things out from the beginning and in  
6 front of that.

7 Q. Would it refresh your recollection to see  
8 what you told the Santa Barbara sheriffs when you  
9 were interviewed?

10 A. No. You don't need to -- I'm saying to you,  
11 you're not saying it completely to the jurors.

12 What he's trying to say is I was -- after I  
13 met with Mr. Dickerman and Mr. -- in the process of  
14 that, of the attorneys, I tried to reach Officer  
15 Lassak. And in between that was when I had  
16 contacted him in order to get help to let him know  
17 what was going on.

18 And then in the midst of that, that's when  
19 the sheriffs, the Santa Barbara sheriffs got  
20 involved, and the Santa Barbara sheriffs, which is  
21 on my police report, stated that he didn't need to  
22 get involved, that it happened over here, so  
23 therefore they're the ones that are going to take  
24 over the investigation.

25 Q. During the time you claim you were falsely  
26 imprisoned, you had phone conversations with Andrew  
27 Lassak, correct?

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28 A. Incorrect. 6521

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1 Q. Okay.

2 A. But during the police interview, yes.

3 Q. He is with the Hollenbeck Division, correct?

4 A. That is correct.

5 Q. The Hollenbeck Division of the Los Angeles

6 Police Department is the division where your Soto

7 Street address is, right?

8 A. That is correct.

9 Q. Okay. And you're saying you never told

10 anyone from the Santa Barbara Sheriff's Department

11 that you were in communication with Andrew Lassak

12 during that period of time?

13 A. When we were having a police interview,

14 Officer Lassak happened to call because I was trying

15 to put in a call, like I said, between the attorneys

16 and the Santa Barbara sheriffs. This period was

17 Officer Lassak, way after Neverland, because finally

18 I was able to make contact with him.

19 Q. Do you remember telling Officer Lassak,

20 "Something big is happening. I can't talk about it.

21 I have lawyers"?

22 A. I never said something like that.

23 Q. So if he said you said that, that wouldn't

24 be true?

25 MR. ZONEN: Objection. Argumentative;

26 speculative.

27 THE COURT: Sustained.

28 Q. BY MR. MESEREAU: Did you know an LAPD 6522

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1 officer named Patrick Metoyer?

2 A. Yes, I did.

3 Q. When did you meet Patrick Metoyer?

4 A. Officer -- the same time Officer Lassak, I  
5 met him.

6 Q. And what year would that be?

7 A. That would be in 2001.

8 Q. Did you know a Sergeant Milt Hernandez from  
9 the LAPD?

10 A. And Officer Metoyer is no longer working for  
11 LAPD.

12 Q. Did you know a Sergeant Milt Hernandez from  
13 the LAPD?

14 A. That -- that name doesn't sound familiar.

15 Q. Do you remember talking to him? He's with  
16 the Hollenbeck Division.

17 A. I think what you're trying to refer to is  
18 someone who was there as a watch commander or  
19 something like that.

20 But not a friend. He's not a friend.

21 Q. When did you first meet him?

22 MR. ZONEN: Who's "him"? Objection; vague.

23 MR. MESEREAU: Milt Hernandez.

24 Q. When did you first meet him?

25 A. If it's the same --

26 MR. ZONEN: Objection; assuming facts not in  
27 evidence that she ever met him.

28 MR. MESEREAU: I'll rephrase it, Your Honor. 6523

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1 Q. Did you ever meet Sergeant Milt Hernandez  
2 from the Hollenbeck Division?

3 A. No, never.

4 Q. Did you ever speak to him on the phone?

5 A. If it's the same person, I think it was  
6 inquiring about the LAPD Explorers, because I was  
7 interested in moving Davellin from the Wall Street  
8 Central Division up to the Hollenbeck Division, if  
9 that's --

10 Q. And approximately when did you talk to him,  
11 if you remember?

12 A. I don't remember.

13 Q. You said you first met LAPD Officer Andrew  
14 Lassak --

15 A. And this is the best I can remember.

16 Q. You said you first met LAPD Officer Andrew  
17 Lassak in 2001; is that correct?

18 A. That is correct.

19 Q. And how did you meet him?

20 A. I think it was because of a call or  
21 something like that.

22 Q. And what are you talking about?

23 A. That's the best I can remember.

24 Q. You said it's a call about something?

25 A. Yeah, that's the best I can remember.

26 Q. Did you call him?

27 A. No, I didn't.

28 Q. Did he call you? 6524

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1 A. No.

2 Q. Did you ever ask him to assist you or your  
3 family in anything?

4 A. No.

5 Q. Did you ever ask him to drive you home?

6 A. Not me personally.

7 Q. Did he ever drive you home?

8 A. I think so, yes. In the LAPD car, yes. I  
9 do recall that.

10 Q. And when did LAPD Officer Andrew Lassak  
11 drive you home?

12 A. He drove me home because I had -- both my  
13 feet were operated.

14 Q. And how did you get in touch with him?

15 A. I think there was a call, a request for  
16 help, and he helped me out. I don't really recall.

17 Q. He drove you home from the welfare  
18 department, didn't he?

19 A. Yeah, I think so. Yeah. Yes.

20 Q. Okay. And through him, you met a number of  
21 LAPD officers, did you not?

22 A. Yes. Just met, not friends.

23 Q. And they were in the Hollenbeck Division  
24 where your Soto Street home was, correct?

25 A. That's correct. And I don't know any of  
26 their names.

27 Q. And you met all these officers in

28 approximately 2001, right? 6525

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1 A. This is correct.

2 Q. You also met some officers from the  
3 Metropolitan Transportation Authority, also called  
4 MTA, right?

5 A. This is correct.

6 Q. And who did you meet from the MTA -- excuse  
7 me, let me rephrase that.

8 What police officers did you know from the  
9 MTA?

10 A. That department, to the best I can remember,  
11 was dissolved. It's no longer. They were all sent  
12 out to different departments, because that was --  
13 that had ended. But I did get to meet - which I  
14 completely lost contact with them - I think it was a  
15 female officer and a male officer. No, actually --  
16 yeah. That was the initial officers I met, yes.  
17 But they're no longer existent.

18 Q. How do you know that?

19 A. Because I drove -- I rode the bus frequently  
20 and I never got to see them again anymore. They  
21 were substituted by private security. Because LAPD  
22 used to run the metro department.

23 Q. Did you ever meet a Sergeant Chiu from the  
24 Rampart Division?

25 A. Sergeant Chiu. That name doesn't sound  
26 familiar.

27 Q. How about a Cindy Garcia?

28 A. I may have. But it doesn't sound familiar. 6526

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1 Q. How about a Detective Angulo, A-n-g-u-l-o,  
2 from the Hollenbeck Division?

3 A. It doesn't sound familiar. Because of  
4 Officer Lassak, I got to meet a lot of officers, but  
5 they weren't my friends. Just when he was doing his  
6 patrol, he would stop by and he would have someone  
7 with him. He was -- what are those officers called  
8 when they're -- oh, he was a training officer. So  
9 he constantly had someone he was training.

10 Q. And at one point you had LAPD Officer  
11 Lassak's cell phone number, didn't you?

12 A. Yes, I did.

13 Q. Do you remember the number?

14 A. No, I don't.

15 Q. And he did some nice things for you and your  
16 family, didn't he?

17 A. Yes, he -- he was our friend.

18 Q. Please tell the jury the nice things that  
19 LAPD Officer Andrew Lassak did for you and your  
20 family.

21 MR. ZONEN: I'm going to object as  
22 irrelevant.

23 THE COURT: Sustained.

24 Q. BY MR. MESEREAU: Ms. Arvizo, the truth is,  
25 you knew a lot of police officers near where you  
26 lived, you could have called any of them and said  
27 you were the victim of crime, and you didn't, right?

28 A. It would have been helpful, but Officer 6527

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1 Lassak was recently married in about June. And out  
2 of respect I figured he's got a new wife, and it's  
3 best that I don't communicate with him. So I lost  
4 communication the day he got married, right before.

5 Q. Did you ever hear of a group called Big  
6 Brother or Adopt-a-Family?

7 A. No, but -- no, but I came to find out now  
8 that maybe those kind of things are --

9 Q. I'm sorry?

10 A. That's what I told you.

11 Q. Okay. When you were interviewed by Santa  
12 Barbara sheriffs --

13 A. Yes.

14 Q. -- did you ever mention that you had met  
15 Andrew Lassak and a bunch of other officers through  
16 a group called Big Brother or Adopt-a-Family?

17 A. I think that was Officer Robel or Officer  
18 Zelis that mentioned that. It wasn't I that said  
19 that.

20 Q. Excuse me. Let me rephrase that.

21 Did you ever participate with LAPD Officer  
22 Andrew Lassak in any type of group involving family  
23 support in East Los Angeles?

24 A. Okay, Officer -- I think I know what you're  
25 referring to if --

26 Q. Yeah, whatever -- please tell the jury  
27 whatever it is.

28 A. Okay, Officer Lassak -- usually all the 6528

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1 department -- this is what was explained to me.

2 Each officer personally picks someone, someone from  
3 the community or someone they like, or anything, and  
4 they put their name into some kind of -- I don't  
5 know how it works, but this is how I came to  
6 understand. That they put their name into some --  
7 something, and then they pick families out of there.  
8 And that's it.

9 Q. And was your family chosen to participate?

10 A. Yes. Officer Lassak put me and my kids in  
11 there.

12 Q. Approximately when was this?

13 A. This was in -- I don't remember. But it was  
14 Christmas.

15 Q. Do you know approximately what year?

16 A. No, I wouldn't be able to tell you that, but  
17 I know it was Christmas.

18 Q. Was it before you think you met Michael  
19 Jackson?

20 A. No, it was after. Because I -- like I said,  
21 I met Officer Lassak after David was arrested.

22 Q. And for the jury's benefit, approximately  
23 when was David arrested?

24 A. About -- I don't know. My best estimate,  
25 September, October of 2001. That's my best  
26 estimate.

27 Q. And in your interview with the Santa Barbara

28 sheriffs, you said that Mr. Lassak would come with 6529

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1 different officers and make jokes, right?

2 A. Yes. He would -- like I said, Officer

3 Lassak, even though he was a corporal, he's also a

4 training officer. And he would bring different

5 officers, and he would stand in the doorway, and

6 he'd make jokes with the kids.

7 Q. Now, which doorway was this?

8 A. My front door to my apartment.

9 Q. Okay. And you said he'd get a big kick out

10 of the kids telling him jokes, right?

11 A. Yes.

12 Q. And do you know who the officers are that he

13 used to bring to your front door?

14 A. I wouldn't be able to tell you, because the

15 majority of them never came twice. They just would

16 come once.

17 Q. How many would he often bring -- excuse me,

18 let me rephrase that.

19 How many officers would Mr. Lassak bring to

20 your house at one time?

21 A. Well, whoever he was training at that time.

22 Q. What's the largest number of officers he

23 ever brought to your house?

24 A. Well, him and the other person he was

25 training.

26 Q. And did you ever go to the police department

27 to see him, where he worked?

28 A. I don't think so. 6530

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1 Q. Did you used to see Officer Lassak driving  
2 around the Hollenbeck Division?

3 A. Yes, I did.

4 Q. And you were a friend of his for a number of  
5 years, weren't you?

6 A. Up until he got married. Because when he  
7 got married, I felt it's a new marriage, and out of  
8 respect, he needs to dedicate himself to his wife.

9 And I don't think it would be very respectful for me  
10 to be a friend when he's supposed to be dedicating  
11 his time to his new wife.

12 Q. Okay. Do you remember the names of other  
13 officers in the Hollenbeck Division that you knew  
14 around the time Officer Lassak used to come to your  
15 doorway?

16 A. Only Officer Lassak.

17 Q. Did Officer Lassak ever arrange any type of  
18 fund-raiser for your family?

19 A. No, outside from him putting -- putting us  
20 in that Christmas thing, that's it. No fund-raiser.

21 Q. Now, what Christmas thing was this?

22 A. It was -- every officer picks somebody and  
23 they put it in like a bag, and that's it.

24 Q. Okay. And where did this take place?

25 A. In the Hollenbeck Division.

26 Q. And what location did this Christmas event  
27 take place?

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28 A. In the Hollenbeck Division. 6531

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1 Q. Okay. Was that at the police station?

2 A. I think it was.

3 Q. Did you bring your children to the police  
4 station?

5 A. I didn't go.

6 Q. Did your family participate in that event?

7 A. Yes.

8 Q. How?

9 A. Officer Lassak had come by and told the kids

10 that on this day they were going to have like a

11 Christmas party. And that's it.

12 Q. And who went to the Christmas party from

13 your family?

14 A. Davellin, Gavin and Star.

15 Q. Okay. And this is after 2001, right?

16 A. It definitely has to be, because it was --

17 I met Officer Lassak after David was arrested, and

18 that's my best estimate.

19 Q. When is the last time you spoke to Attorney

20 Larry Feldman? Don't say what you said. That's

21 confidential. But when was the last time you spoke

22 to Attorney Larry Feldman?

23 A. I -- I wouldn't be able to tell. I couldn't

24 remember.

25 Q. Have you been in any communication with him

26 in the last month?

27 A. Let me see. Let me see.

28 No. It's only the times that I was 6532

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1 receiving subpoenas from your office was -- yeah,  
2 that's the best I can remember.

3 Q. Have you talked to him in the last couple  
4 weeks?

5 A. I don't think so. I've been here.

6 Q. Have you talked to Attorney Larry Feldman in  
7 the last couple of weeks?

8 A. Let me see. You know what? When was --  
9 when did he testify?

10 Q. I can't answer questions.

11 A. Oh, okay. I'm only saying that would help  
12 me remember. Because it was before that time.

13 Q. Have you talked to Attorney Larry Feldman  
14 while this trying has been going on?

15 A. Oh, yes, yes.

16 Q. How many times?

17 A. Oh, I wouldn't be able to tell you that.

18 Just about every time you sent a subpoena.

19 Q. Okay. Would it be accurate to say that  
20 while this trial has been going on you've talked to  
21 him more than once?

22 A. Oh, yes. Every time they sent a subpoena.

23 Q. Okay.

24 THE COURT: Counsel, there may be a little  
25 ambiguity there as to, "while the trial has been  
26 going on."

27 MR. MESEREAU: Oh, okay. I understand.

28 THE COURT: What "the trial" is to some 6533

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1 people is different than others.

2 MR. MESEREAU: Sure. Let me rephrase it.

3 Q. You're aware that Attorney Larry Feldman  
4 testified in this trial, right?

5 A. Yep. Yes.

6 Q. How did you know that?

7 A. Because I had seen "Accuser's Mother's  
8 Attorney Testifies." I seen that, something like  
9 that.

10 Q. Okay. Within the last few months, you've  
11 been in contact with Attorney Larry Feldman, have  
12 you not?

13 A. Yes, yes.

14 Q. You've been in contact with him on a number  
15 of occasions?

16 A. Yes, every time they sent a subpoena over.

17 Q. Okay. Okay. Now, I think you've answered  
18 this question, but let me just be specific.

19 A. Okay.

20 Q. All of these officers you met through LAPD,  
21 Officer Andrew Lassak, starting with the year 2001,  
22 none of them were ever contacted by you about false  
23 imprisonment, right?

24 A. That's correct.

25 Q. None of those --

26 A. Until when I tried afterwards between Mr.

27 Dickerman and the Santa Barbara sheriffs. And on

28 your thing they said, "Don't talk to any other 6534

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1 officers but their department so the investigation  
2 wouldn't be compromised."

3 Q. Before you went to Attorney William  
4 Dickerman, you never contacted any of these officers  
5 or trainees that you knew in your neighborhood about  
6 anything you claim Michael Jackson was doing?

7 A. That's correct. I was afraid to talk on the  
8 phone, because they were monitoring, listening and  
9 surveilling me and following me. That's correct.

10 Q. Even when you were at your parents' home,  
11 you never called LAPD Officer Andrew Lassak and  
12 complained, right?

13 A. Because at this point I didn't have his  
14 phone number.

15 Q. When did you lose it?

16 A. When he got married, out of respect, I  
17 seized my communication with him.

18 Q. Well, you'd been to the Hollenbeck Division  
19 Police Department before, right?

20 A. Yes, I had.

21 Q. Did you ever contact anyone from the  
22 Hollenbeck Division Police Department and complain  
23 about Michael Jackson?

24 A. Well, I no longer belong to their division.  
25 I know -- because my apartment, because of them, is  
26 no more existent there, so I'm not their problem  
27 anymore.

28 Q. You still could have called them, couldn't 6535

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1 you?

2 A. I didn't. Because of being monitored,

3 followed, surveilled, listened to.

4 Q. You didn't call them from Jay Jackson's

5 apartment, right?

6 A. That's correct.

7 Q. You didn't call them from your parents' home

8 in El Monte, correct?

9 A. That's correct.

10 Q. You didn't call them from Soto Street while

11 you were living there, correct?

12 A. That's correct. But I told the Santa

13 Barbara Sheriff's Department.

14 Q. After you went to Attorney Larry Feldman,

15 right?

16 A. No. Before. Jay Jackson called in about

17 February and that's when we communicated. That was

18 our first communication.

19 Q. You didn't fill out a police report with any

20 police department about anything until you went to

21 Attorney Larry Feldman, right?

22 A. We made contact with sheriffs, Santa Barbara

23 sheriffs, back in February. They were not helpful

24 to us. So there was this big gap until afterwards.

25 Q. When did you first meet Attorney Larry

26 Feldman?

27 A. After Mr. Bill Dickerman introduced me to



1 Q. Do you know about when that was?

2 A. I wouldn't be able to tell you. But they  
3 could tell you best.

4 Q. To your knowledge, how long has Attorney  
5 Larry Feldman been giving you advice? Don't say  
6 what the advice is. I'm just asking you, as far as  
7 you know, how long has Attorney Larry Feldman been  
8 giving you advice?

9 A. I'm a little confused by the question,  
10 because he's helped more than gave me advice, when  
11 you guys have been bomb -- giving me all those  
12 subpoenas.

13 Q. I understand.

14 A. That they even wanted my school records all  
15 the way till I was a kindergartner myself.

16 MR. MESEREAU: Move to strike, Your Honor.

17 THE COURT: Just a moment.

18 That's stricken.

19 Do you want to rephrase the question?

20 MR. MESEREAU: Yes.

21 Q. If you know, for how many years has Attorney  
22 Larry Feldman been giving you advice?

23 THE WITNESS: Your Honor, I'm having  
24 difficulty with it. I'm telling you, "help" and  
25 "advice" to me is different.

26 THE COURT: She's asking you to clarify the  
27 question. That's --

28 Q. BY MR. MESEREAU: What you say to an 6537

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1 attorney is confidential, and I'm not asking you  
2 about your conversations. Okay?

3 I'm just asking you how long, in your mind,  
4 Attorney Larry Feldman has been helping you. We'll  
5 use the word "help."

6 A. Okay. Well, he felt that your defense team  
7 was bullies.

8 MR. MESEREAU: Objection. Objection.

9 THE COURT: Sustained.

10 MR. MESEREAU: Move to strike.

11 THE COURT: Stricken.

12 MR. MESEREAU: Your Honor, could the witness  
13 be admonished to answer the question?

14 THE COURT: Ask the question again or have  
15 the question read back, please.

16 (Record read.)

17 THE WITNESS: Okay. Every time they -- they  
18 were sending me the subpoena, for example,  
19 requesting all my school records, all the way till I  
20 was a kindergartner, he's been helping me.

21 Q. BY MR. MESEREAU: Let me ask it one more  
22 time. But if I'm not clear, just tell me.

23 A. Okay.

24 Q. What year did you meet Attorney Larry  
25 Feldman?

26 A. In 2003.

27 Q. You knew some police officers from the MTA,

28 did you not? 6538

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1 A. Yes, I did. I did meet them, but it was not  
2 a close contact, as I was with Officer Lassak, which  
3 I stopped because he had gotten married, and that  
4 was it. And they no longer were in existence,  
5 because a private security company took over the  
6 metro bus division. So I lost complete contact of  
7 them.

8 Q. And MTA means Metropolitan Transportation  
9 Authority, correct?

10 A. Yes. They're underneath the ground.  
11 They're police officers that were underneath the  
12 ground taking care of the trains that run -- I don't  
13 know whether they're train or metro rail. I don't  
14 know the correct --

15 Q. And you knew a number of officers with the  
16 MTA, correct?

17 A. When that was dissolved, my -- as far as my  
18 relationship was with them, every time me and my  
19 children rode the trains, when we would see them  
20 we'd say hello. But past that, once they were -- I  
21 don't know what the word is. When they were gone,  
22 no more, I didn't see them anymore.

23 Q. And how many officers from the MTA do you  
24 think you knew, when you knew them?

25 A. It was about two. A male and a female, and  
26 the rest were by sight. Every time we'd see them,  
27 we'd say hello. But there was definitely more than

28 two that I recognized by face. 6539

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1 Q. And were they stationed in the Hollenbeck  
2 area?

3 A. No, they weren't stationed in the Hollenbeck  
4 area.

5 Q. Where were they stationed?

6 A. They were stationed -- to my understanding,  
7 they were stationed right there, underneath the  
8 ground in the train rail system.

9 Q. And didn't these MTA officers help your  
10 family out also?

11 A. Well, I don't know if you call it help, but  
12 they also did some Christmas thing.

13 Q. And what was that?

14 A. They -- they took a liking to the kids,  
15 because they saw the kids go off and on the trains,  
16 and so -- and that was it.

17 Q. And approximately when did this happen?

18 A. Christmastime.

19 Q. Approximately what year, if you know?

20 A. I don't remember. But I do remember  
21 Christmastime.

22 Q. Was it after 2001?

23 A. Oh. Oh, yes, yes. After -- after David was  
24 arrested, me and my kids became free to have -- to  
25 go beyond having friendships.

26 Q. And after David was arrested, it would be  
27 accurate to say that you and your kids had a lot of

28 friends who were police officers, right? 6540

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1 A. The only one we could say is Officer Lassak.

2 That's it. The rest were just people that we met,

3 but completely lost contact with.

4 Q. And through Major Jay Jackson, did you meet

5 anyone in the United States Army?

6 A. Not really. I -- no. I don't even go to --

7 when Jay would have, like, gatherings from the Army,

8 I prefer not to go. Even to his -- even to his

9 going-away luncheon, because I knew I wasn't smart

10 enough to be in that kind of group.

11 THE COURT: Counsel, is this a good place to

12 stop?

13 MR. MESEREAU: Yes, Your Honor. Thank you.

14 THE COURT: All right. We're going to

15 recess for the weekend. Remember next Wednesday

16 afternoon, we're not going to be in session. I'll

17 see you Monday at 8:30. Remember the admonitions.

18 Don't talk to anybody. Don't read anything. Enjoy

19 the weekend.

20 MR. SANGER: When are we not in session?

21 THE COURT: Wednesday afternoon.

22 MR. SANGER: Wednesday afternoon we're not

23 in session. We're here Monday.

24 (The proceedings adjourned at 2:30 p.m.)

25 --o0o--

26

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1 REPORTER'S CERTIFICATE

2

3

4 THE PEOPLE OF THE STATE )

5 OF CALIFORNIA, )

6 Plaintiff, )

7 -vs- ) No. 1133603

8 MICHAEL JOE JACKSON, )

9 Defendant. )

10

11

12 I, MICHELE MATTSON McNEIL, RPR, CRR,

13 CSR #3304, Official Court Reporter, do hereby

14 certify:

15 That the foregoing pages 6423 through 6541

16 contain a true and correct transcript of the

17 proceedings had in the within and above-entitled

18 matter as by me taken down in shorthand writing at

19 said proceedings on April 15, 2005, and thereafter

20 reduced to typewriting by computer-aided

21 transcription under my direction.

22 DATED: Santa Maria, California,

23 April 15, 2005.

24

25

26

27 MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

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