

1 **COLLINS, MESEREAU, REDDOCK & YU**
Thomas A. Mesereau, Jr., State Bar Number 091182
2 Susan C. Yu, State Bar Number 195640
1875 Century Park East, 7th Floor
3 Los Angeles, CA 90067
Tel.: (310) 284-3120, Fax: (310) 284-3133

4 **SANGER & SWYSEN**
Attorneys at Law
5 Robert M. Sanger, State Bar No. 058214
233 East Carrillo Street, Suite C
6 Santa Barbara, CA 93101
7 Tel.: (805) 962-4887, Fax: (805) 963-7311

8 **OXMAN & JAROSCAK**
Brian Oxman, State Bar No. 072172
9 14126 East Rosecrans
Santa Fe Springs, CA 90670
10 Tel.: (562) 921-5058, Fax: (562) 921-2298

11 Attorneys for Defendant
MICHAEL JOSEPH JACKSON

12
13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION

15
16 THE PEOPLE OF THE STATE OF CALIFORNIA,

17 Plaintiffs,

18 vs.

19 MICHAEL JOSEPH JACKSON,

20 Defendant.

) Case No. 1133603

) EX PARTE APPLICATION THAT REPLY
) TO OPPOSITION TO MOTION FOR AN
) ORDER ALLOWING INDIVIDUAL
) SEQUESTERED VOIR DIRE OF
) PROSPECTIVE JURORS BE FILED
) UNDER SEAL

) Honorable Rodney S. Melville

) Date: January 28, 2005

) Time: 9:30 am

) Dept: SM 8
)
)
)

24 TO THE CLERK OF THE ABOVE ENTITLED COURT:

25 Defendant requests that the Court determine whether it is appropriate to issue an order that
26 the accompanying REPLY TO OPPOSITION TO MOTION FOR AN ORDER ALLOWING
27

28 EX PARTE APPLICATION THAT REPLY TO OPPOSITION TO MOTION FOR AN ORDER ALLOWING
INDIVIDUAL SEQUESTERED VOIR DIRE OF PROSPECTIVE JURORS BE FILED UNDER SEAL

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

JAN 25 2005

GARY M. BLAIR, Executive Officer
BY *Carrie L. Waite*
CARRIE L. WAITE, Deputy Clerk

1 INDIVIDUAL SEQUESTERED VOIR DIRE OF PROSPECTIVE JURORS and accompanying
2 documents be filed under seal. This request is based on the Orders of Judge Melville in this case.

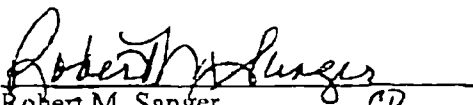
3 Dated: January 25, 2005

4 Respectfully submitted,

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

7 SANGER & SWYSEN
8 Robert M. Sanger

9 OXMAN & JAROSCAK
Brian Oxman

10
11 By: 
12 Robert M. Sanger
13 Attorneys for Defendant
14 MICHAEL JOSEPH JACKSON
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 Pursuant to California Rule of Court 243.1(d), the Court has the authority to order a
3 record be filed under seal if it expressly finds that:

- 4 1. There exists an overriding interest that overcomes the right of public access to the
5 record;
- 6 2. The overriding interest supports sealing the record;
- 7 3. A substantial probability exists that the overriding interest will be prejudiced if the
8 record is not sealed;
- 9 4. The proposed sealing is narrowly tailored; and
- 10 5. No less restrictive means exist to achieve the overriding interest.

11 (California Rule of Court 243.1(d).)

12 Pursuant to the Court's prior instructions, including instructions reiterated on May 28,
13 2004, we are submitting REPLY TO OPPOSITION TO MOTION FOR AN ORDER
14 ALLOWING INDIVIDUAL SEQUESTERED VOIR DIRE OF PROSPECTIVE JURORS out of
15 an abundance of caution so that the Court may determine whether or not it may be filed under
16 seal. It does not appear that this particular document makes references to statements of
17 witnesses, documents, exhibits, photographs or other evidence that may be subject to the pretrial
18 rule regarding the filing of documents under seal. (Exhibit 1, Declaration of Robert M. Sanger.)

19
20
21 ///

22
23 ///

24
25 ///

26
27 ///

28

EX PARTE APPLICATION THAT REPLY TO OPPOSITION TO MOTION FOR AN ORDER ALLOWING
INDIVIDUAL SEQUESTERED VOIR DIRE OF PROSPECTIVE JURORS BE FILED UNDER SEAL

1 CONCLUSION

2 For the reasons stated above, Mr. Jackson submits the matter for the Court's
3 determination as to whether it should be ordered that the accompanying REPLY TO
4 OPPOSITION TO MOTION FOR AN ORDER ALLOWING INDIVIDUAL SEQUESTERED
5 VOIR DIRE OF PROSPECTIVE JURORS and accompanying documents be filed under seal.

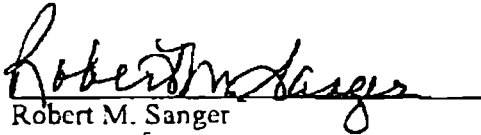
6 Dated: January 25, 2005

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

9 SANGER & SWYSEN
10 Robert M. Sanger

11 OXMAN & JAROSCAK
12 Brian Oxman

13 By:

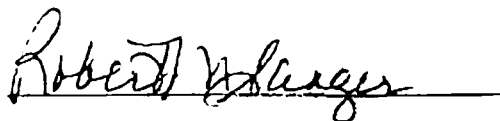


14 Robert M. Sanger
15 Attorneys for
16 MICHAEL JOSEPH JACKSON

1 DECLARATION OF ROBERT M. SANGER

2 I, Robert Sanger, declare:

- 3 1. I am an attorney at law duly licensed to practice law in the courts of the State of
4 California, a partner in the law firm of Sanger & Swysen, and co-counsel for Michael
5 Jackson.
- 6 2. Pursuant to the Court's prior instructions, including instructions reiterated on May 28.
7 2004, we are submitting the REPLY TO OPPOSITION TO MOTION FOR AN ORDER
8 ALLOWING INDIVIDUAL SEQUESTERED VOIR DIRE OF PROSPECTIVE
9 JURORS out of an abundance of caution so that the Court may determine whether or not
10 it may be filed under seal. It does not appear that this particular document makes
11 references to statements of witnesses, documents, exhibits, photographs or other evidence
12 that may be subject to the pretrial rule regarding the filing of documents under seal.
13 I declare under penalty of perjury that the foregoing is true and correct and that this
14 declaration was executed this 25th day of January 2005 at Santa Barbara, California.

15
16
17 

18 Robert M. Sanger
19
20
21
22
23
24
25
26
27
28