

1 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY  
County of Santa Barbara  
2 By: RONALD J. ZONEN (State Bar No. 85094)  
Senior Deputy District Attorney  
3 J. GORDON AUCHINCLOSS (State Bar No. 150251)  
Senior Deputy District Attorney  
4 GERALD McC. FRANKLIN (State Bar No. 40171)  
Senior Deputy District Attorney  
5 1112 Santa Barbara Street  
Santa Barbara, CA 93101  
6 Telephone: (805) 568-2300  
FAX: (805) 568-2398  
7

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SANTA BARBARA  
FEB - 3 2005  
GARY J. ...  
Clerk of Court

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF SANTA BARBARA  
10 SANTA MARIA DIVISION

11 ~~PROPOSED~~ REDACTED VERSION

12 THE PEOPLE OF THE STATE OF CALIFORNIA,

13 Plaintiff,

14 v.

15  
16 MICHAEL JOE JACKSON,

17 Defendant.  
18  
19

No. 1133603

PLAINTIFF'S REPLY TO  
OPPOSITION TO MOTION TO  
LIMIT INTRODUCTION OF  
EVIDENCE OF PRIOR  
LITIGATION INVOLVING THE  
DOE FAMILY

DATE: ~~February 10, 2005~~  
TIME: ~~9:30 a.m.~~  
DEPT: TBA (Melville)

~~UNDER SEAL~~

20  
21 Defendant argues that Jane Doe was involved [REDACTED]  
22 [REDACTED]

23 Defendant's only evidence of Jane Doe's supposed involvement is the statement of

24 one of [REDACTED], which quotes [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27 [REDACTED]  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

[REDACTED]

This level of litigation will necessitate the presentation of each and every witness associated with the case:

[REDACTED]

And what is it the defense is seeking to establish?

[REDACTED]

had all of this information at its disposal when

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 Defendant's response to our argument that the litigation would consume an  
5 extraordinary amount of court time on a collateral issue was not to deny it, nor to suggest that  
6 the case could be tried with a minimum of witnesses or time. Defendant's response was only to  
7 say that the People's 1108 evidence will also take a great deal of time, therefore they can take a  
8 great deal of time as well.

9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 Equally important is the concern that the production of otherwise relevant but  
16 collateral evidence "will create substantial danger of undue prejudice, of confusing the issues,  
17 or of misleading the jury." (Evid. Code, § 352.) [REDACTED]  
18 [REDACTED]

19 [REDACTED] It is exactly that distraction that is contemplated when the  
20 courts express concern that collateral evidence could be confusing and misleading to a jury.  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27 [REDACTED]  
28 [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]

4 There is nothing in Defendant's Opposition brief that would satisfy the Court that  
5 [REDACTED] as a means of impeaching Jane Doe will be anything but  
6 extensive, burdensome, confusing and misleading. More importantly, evidence of [REDACTED]  
7 [REDACTED] is being proposed by the defense on the pretext that it might reveal a motive  
8 of the victim's mother. This is entirely too burdensome an endeavor for a purpose so lacking  
9 in probative value. [REDACTED]  
10 [REDACTED]

11 DATED: February 8, 2005

12 Respectfully submitted,

13 THOMAS W. SNEDDON, JR.  
14 District Attorney

15 By: \_\_\_\_\_  
16 Ronald Zonen, Senior Deputy  
17 Attorneys for Plaintiff  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 PROOF OF SERVICE

2  
3 STATE OF CALIFORNIA }  
4 COUNTY OF SANTA BARBARA } SS

5  
6 I am a citizen of the United States and a resident of the County aforesaid; I am over  
7 the age of eighteen years and I am not a party to the within-entitled action. My business  
8 address is: District Attorney's Office; Courthouse: 1112 Santa Barbara Street, Santa Barbara,  
9 California 93101.

10 On February 8, 2005, I served the within <sup>Redacted</sup> PLAINTIFF'S REPLY TO OPPOSITION  
11 TO MOTION TO LIMIT INTRODUCTION OF EVIDENCE OF PRIOR LITIGATION  
12 INVOLVING THE DOE FAMILY on Defendant, by THOMAS A. MESEREAU, JR.,  
13 ROBERT SANGER and BRIAN OXMAN, by transmitting a true copy thereof to Mr.  
14 Mesereau at the confidential fax number for his Santa Maria office and to Mr. Sanger at the fax  
15 number shown on the attached Service List.

16 I declare under penalty of perjury that the foregoing is true and correct.

17 Executed at Santa Barbara, California on this 8th day of February, 2005.

18   
19 \_\_\_\_\_  
20 Gerald McC. Franklin

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SERVICE LIST

THOMAS A. MESEREAU, JR.  
Collins, Mesereau, Reddock & Yu, LLP  
1875 Century Park East, No. 700  
Los Angeles, CA 90067  
FAX: [CONFIDENTIAL]

Attorney for Defendant Michael Jackson

ROBERT SANGER, ESQ.  
Sanger & Swysen, Lawyers  
233 E. Carrillo Street, Suite C  
Santa Barbara, CA 93001  
FAX: (805) 963-7311

Co-counsel for Defendant

BRIAN OXMAN, ESQ.  
Oxman & Jaroscak, Lawyers  
14126 E. Rosecrans Blvd.,  
Santa Fe Springs, CA 90670

Co-counsel for Defendant