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 County of Santa Barbara  
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**FILED**  
 SUPERIOR COURT of CALIFORNIA  
 COUNTY of SANTA BARBARA

FEB 09 2005

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

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

12 THE PEOPLE OF THE STATE OF CALIFORNIA.	)	No. 1133603
	)	
13 Plaintiff.	)	PLAINTIFF'S REQUEST FOR
	)	LEAVE TO TARDILY FILE
14	)	PLAINTIFF'S REPLY TO MOTION
15 v	)	TO EXCLUDE REFERENCE TO
	)	JANE DOE'S REFUSAL TO
16 MICHAEL JOE JACKSON.	)	WAIVE ATTORNEY CLIENT
	)	PRIVILEGE; DECLARATION
17 Defendant.	)	OF GERALD McC. FRANKLIN
	)	<del>UNDER SEAL</del>

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 20 The People respectfully request leave to file Plaintiff's Reply to Defendant's  
 21 Opposition to Exclude Reference to Jane Doc's Refusal to Waive Attorney Client Privilege a  
 22 day after the cut-off date fixed by the briefing schedule.

23 As described in the accompanying Declaration, the establishment of the  
 24 "residence/satellite office" in Santa Maria for the District Attorney's trial lawyers has both its  
 25 advantages and disadvantages. Among the disadvantages is a delay in transmitting documents  
 26 received from the defense, conferring on the appropriate response thereto and finalizing draft  
 27 versions of a given response and putting it into an acceptable format for service and filing.

28 Hearing on this and other "Evidence Code section 402" motions will not be

1 calendared for until a jury has been empanelled in this matter. The Court will therefore be able  
2 to consider all of the submissions relating to a given motion well before the hearing on a given  
3 motion.

4 In the circumstances, and with Plaintiff's assurance that every effort to serve and  
5 file all responsive pleadings within the time limits set by the Court, leave to file this Reply  
6 somewhat tardily is earnestly requested.

7 DATED: February 9, 2005

8 THOMAS W. SNEDDON, JR.  
9 District Attorney

10 By:   
11 Gerald McC. Franklin, Senior Deputy

12 Attorneys for Plaintiff  
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1 PROOF OF SERVICE

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

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

9 On February 8, 2005, I served the within PLAINTIFF'S REQUEST FOR LEAVE  
10 TO TARDILY FILE PLAINTIFF'S REPLY TO DEFENDANT'S OPPOSITION TO  
11 EXCLUDE REFERENCE TO JANE DOE'S REFUSAL TO WAIVE ATTORNEY CLIENT  
12 PRIVILEGE on Media Counsel and on Defendant, by THOMAS A. MESEREAU, JR.,  
13 ROBERT SANGER and BRIAN OXMAN, by transmitting a true copy thereof on defendant's  
14 counsel by fax at the confidential fax number in Santa Maria and to Media's counsel at the  
15 facsimile number shown with the address for counsel 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 9th day of February, 2005.

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

SERVICE LIST

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