

FEB 17 2005

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

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff,

vs.

MICHAEL JACKSON,

Defendant.

Case No.: 1133603

Order for Release of Redacted Documents

[Opposition to District Attorney's Motion to
Limit Introduction of Evidence of Prior
Litigation Involving the Doe Family]

The redacted form of the Defense's Opposition to District Attorney's Motion to Limit Introduction of Evidence of Prior Litigation Involving the Doe Family attached to this order shall be released and placed in the public file. The court finds that there is more material in the motion that should be redacted than that contained in the proposed redacted version. The unredacted originals shall be maintained conditionally under seal pending the next motion hearing, date to be announced.

Dated: February 17, 2005

Rodney S. Melville
RODNEY S. MELVILLE
Judge of the Superior Court

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
5 Robert M. Sanger, State Bar Number 058214
233 East Carrillo Street, Suite C
6 Santa Barbara, CA 93101
Tel.: (805) 962-4887, Fax: (805) 963-7311

7 OXMAN & JAROSCAK
8 Brian Oxman, State Bar Number 072172
14126 East Rosecrans
9 Santa Fe Springs, CA 90670
Tel.: (562) 921-5058, Fax: (562) 921-2298

10 Attorneys for Defendant
11 MICHAEL JOSEPH JACKSON

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

14 REDACTED

15 THE PEOPLE OF THE STATE OF
16 CALIFORNIA,

17 Plaintiffs,

18 vs.

19 MICHAEL JOSEPH JACKSON,

20 Defendant.

) Case No. 1133603
)
) OPPOSITION TO DISTRICT
) ATTORNEY'S MOTION TO LIMIT
) INTRODUCTION OF EVIDENCE OF
) PRIOR LITIGATION INVOLVING THE
) DOE FAMILY

) ~~UNDER SEAL~~
)
) Honorable Rodney S. Melville
) Date: ~~February 16, 2005~~
) Time: ~~9:30 a.m.~~
) Dept.: 8
)
)

65 FEB -4 PM 2005

24 MEMORANDUM OF POINTS AND AUTHORITIES

25 INTRODUCTION

26 The prosecution asks this Court to issue an order "limiting introduction of prior litigation

27
28 OPPOSITION TO DISTRICT ATTORNEY'S MOTION TO LIMIT INTRODUCTION OF EVIDENCE OF
PRIOR LITIGATION INVOLVING THE DOE FAMILY

1 involving the Doe family." (Motion, page 1.) Evidence of the [REDACTED] family's lawsuit against
2 [REDACTED] is relevant because it demonstrates: (1) [REDACTED] has used her children to commit
3 frauds on other occasions; (2) [REDACTED] has a history of making false allegations that become
4 more outrageous as time passes; (3) the [REDACTED] family has a history of making false allegations
5 that are not corroborated by other witnesses; (4) the [REDACTED] family's lawsuit against [REDACTED]
6 sheds light on the other frauds that have been perpetrated by the family; and (5) [REDACTED] has
7 committed the crime of perjury on several occasions, which is relevant to her credibility in the
8 present case.

9 The exclusion of such relevant evidence threatens to deprive Mr. Jackson of his federal
10 and state constitutional rights to a fair trial, due process of law, the right to confront and cross-
11 examine witnesses against him, and equal protection pursuant to the Fifth, Sixth, and Fourteenth
12 Amendments to the United States Constitution and Article 1, Sections 7, 15 and 24 of the
13 California Constitution.

14 ARGUMENT

15 INTRODUCTION

16 On August 27, 1998, [REDACTED] were arrested on charges of burglary after
17 [REDACTED] was caught shoplifting at [REDACTED]. Rather than admit their culpability in using
18 their children to shoplift, the [REDACTED] concocted an outrageous story that the security guards
19 responsible for detaining the family assaulted them by using excessive force and she eventually
20 claimed that they sexually assaulted her. [REDACTED]

21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]

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]

On July 22, 1999, the [REDACTED] family filed a lawsuit against [REDACTED] and security officers [REDACTED] alleging, among other things, that the [REDACTED] family was battered, falsely arrested and falsely imprisoned. [REDACTED]

The witnesses present at the scene of the [REDACTED] incident have a very different account of what occurred.

[REDACTED]

[REDACTED]

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

27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

OPPOSITION TO DISTRICT ATTORNEY'S MOTION TO LIMIT INTRODUCTION OF EVIDENCE OF
PRIOR LITIGATION INVOLVING THE DOE FAMILY

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 I

13 THE PROSECUTION'S CONCERNS REGARDING CONFUSING THE JURY AND
14 CONSUMING UNDUE TIME ARE RIDICULOUS IN LIGHT OF THE MOUNTAIN OF
15 IRRELEVANT EVIDENCE THAT THEY PRESENTED TO THE GRAND JURY AND
16 NOW SEEK TO PRESENT TO THE JURY

17 The District Attorney has had an open casting call for "victims" of Michael Jackson for
18 more than a decade. The fact that the best witnesses the prosecution can come up with, after all
19 this time, have major credibility problems, based on a history of making false allegations for
20 financial gain, among other reasons, is something that the prosecution must deal with at trial.
21 Rather than present an accurate picture of their "victims" to the jury, the prosecution seeks to
22 bolster their incredible testimony through the use of experts on Battered Women's Syndrome and
23 Child Abuse Accommodation Syndrome, while at the same time, hiding the [REDACTED] history of
24 perjury and fraud from the jurors. The prosecution realizes that when the jury finds out that the
25 only people to answer the District Attorney's open casting call are the same people who have
26 committed welfare fraud, lied under oath, taken advantage of the generosity of good Samaritans.

1 systematically targeted celebrities to bilk them for money, and filed a lawsuit based on false
2 allegations, Mr. Jackson will be acquitted. The Court should not allow the prosecution to
3 deceive the jury by hiding the [REDACTED] family's modus operandi from their view.

4 The prosecution conducted a grand jury proceeding that spanned 1900 pages of
5 testimony. They have served more than 100 search warrants. Law enforcement has raided Mr.
6 Jackson's home on two occasions and, in one of those instances, used more than 40 officers to do
7 so. The prosecution has treated this case like no other case in the history of Santa Barbara
8 County. For instance, the prosecution's witness list shows that they are seeking to introduce the
9 testimony of three Battered Women's Syndrome² experts in a child molestation/conspiracy case.
10 Now, when faced with relevant impeachment evidence that demonstrates [REDACTED]
11 committed perjury and coached her children to lie on other occasions, the prosecution is suddenly
12 concerned with undue consumption of time and confusing the jury.

13 II.

14 THE [REDACTED] PRIOR LITIGATION IS RELEVANT BECAUSE IT IS EVIDENCE OF
15 A PATTERN AND PRACTICE OF USING THE DOE CHILDREN FOR FINANCIAL
16 GAIN

17 The [REDACTED] family's lawsuit against [REDACTED] demonstrates that [REDACTED] has a
18 pattern and practice of using her children to commit frauds. [REDACTED] was caught leaving
19 [REDACTED] with merchandise without having paid for it. According to a statement of [REDACTED]
20 [REDACTED] a [REDACTED] security guard who witnessed the incident, [REDACTED]
21 [REDACTED] true and correct copy of
22 [REDACTED] statement is attached as Exhibit D. Following the incident, [REDACTED]
23 coached her children to lie about the incident in order to reach a financial settlement with the
24 store. There is nothing "speculative" it. [REDACTED] coerced their own children into
25

26 ² Ironically, the prosecution seeks to introduce expert testimony on Battered Women's
27 Syndrome and also seeks to exclude her statement that she was not battered.

1 stealing and lying for financial gain.

2 Contrary to the prosecution's claims, [REDACTED] never "simply conceded they were
3 liable and handed over more than \$150,000."³ (Motion, page 5.) In fact, the Confidential
4 Release and Settlement Agreement specifically states that, "[t]he Parties further understand and
5 agree that neither the payment of the sum by Defendant's [REDACTED] . . . shall constitute or
6 be construed as an admission of any liability whatsoever by any of them, and that each
7 consistently take the position that they have no liability whatsoever in this matter."

8 (Emphasis added.)

9 [REDACTED] found itself the target of a fraudulent lawsuit orchestrated by professional
10 plaintiffs. Like many other companies with deep pockets in the same position, a decision was
11 made that it would be cheaper to pay off the plaintiffs, rather than to litigate the case. Moreover,
12 the fact that [REDACTED] was suffering from cancer during this litigation created a risk that a
13 jury would sympathize with him, for reasons that were totally irrelevant to the [REDACTED] claims,
14 and award money to the [REDACTED] despite the incredible nature of their case. Finally, [REDACTED]
15 had to be aware of the adverse publicity to the store that might occur if they fought a child
16 allegedly dying of cancer.

17 III

18 THE [REDACTED] FAMILY TESTIFIED ABOUT THE [REDACTED] LITIGATION AT
19 THE GRAND JURY PROCEEDING

20 The District Attorney invited [REDACTED] to give a self-serving account of the [REDACTED]
21 [REDACTED] incident in front of the grand jury. Her testimony regarding this incident was so over-the-
22 top that the District Attorney was barely able to contain her. He urged her to limit her responses
23 to answering his questions so that they would not have to be [REDACTED]
24 [REDACTED]. Nevertheless, what she did say was another instance of perjury which is a felony.

1 It is a proper basis for impeachment.

2 IV.

3 EVIDENCE THAT SCRIPTS WERE USED DURING PRIOR LITIGATION IS
4 RELEVANT TO THE PRESENT CASE

5 The testimony will demonstrate that [REDACTED] used scripts to prepare her children for
6 their depositions in the [REDACTED] case. The testimony will prove that [REDACTED] coached her
7 children to answer deposition questions in a way that would assist her in her scheme to defraud
8 [REDACTED]. The answers that her children gave at their deposition show that they were coached.
9 This evidence is relevant because it shows the lengths [REDACTED] will go to prepare her children
10 to assist her in committing fraud. She did so with other people and she did so with Michael
11 Jackson.

12 V.

13 THE FACT THAT [REDACTED] STORY OF WHAT OCCURRED BECAME
14 MORE OUTRAGEOUS AS TIME PASSED IS RELEVANT

15 [REDACTED] account of the incident at [REDACTED] was not always as outrageous as the
16 eventual version of the story. What began as an open and shut case of shoplifting gradually
17 developed into an outrageous and improbable tale of sexual assault. By the time [REDACTED]
18 spun this story to the grand jury, [REDACTED]
19 [REDACTED]. The police report of the incident does not contain the allegations that [REDACTED]
20 eventually raised. A true and correct copy of the police report is attached as Exhibit E.

21 The [REDACTED] incident demonstrates [REDACTED] modus operandi of embellishing her
22 stories over time and using her children to portray her as a victim for money. In the present case,
23 the testimony will show that while at Neverland, [REDACTED] never let on that she felt like she
24 was being falsely imprisoned. She told anyone who would listen that Michael Jackson had done
25 nothing but help her family and that she considered him to be like a father to her children. On
26 three separate occasions that were recorded with by audiotape or videotape, [REDACTED] praised
27

1 Mr. Jackson for his generosity. During the same time period she now claims she was allegedly
2 held hostage. But, at the time, she let Mr. Jackson pick up the tab as she indulged in shopping
3 sprees, five star hotels, and salon treatments.

4 Months later, after talking to at least two plaintiffs lawyers, she began to tell a vastly
5 different story of her time at Neverland. By August of 2003, during her second recorded
6 interview with the police, the story grew to include allegations that she was led to believe that
7 "killers" were after her and her family. The new story conveniently attempted to explain all of
8 the recorded exculpatory statements that she had previously made regarding Mr. Jackson. By the
9 time of the grand jury proceeding, [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 VI.

13 THE FACT THAT WITNESSES TO THE [REDACTED] SHOPLIFTING INCIDENT
14 REPORTED A VERY DIFFERENT VERSION OF EVENTS IS RELEVANT TO THE
15 CREDIBILITY OF THE [REDACTED] FAMILY

16 The evidence will demonstrate that [REDACTED] and her family lied under oath in their
17 depositions and to the grand jury with regard to what happened at [REDACTED]. The security
18 officers who arrested her will testify that her version of events is an utter fabrication. Not only
19 that, but any The loss prevention supervisor will testify that he believes that [REDACTED] set up
20 the entire incident for the purpose of suing the store for money. [REDACTED]
21 will state that he doubted her story the first time he met her and that his doubts increased over
22 time. [REDACTED]

23 [REDACTED]

24 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]

17 Both the defense investigation and the Sheriff's investigation have uncovered a pattern of
18 scripted, manipulative behavior whereby the children, and in particular, [REDACTED] have been
19 prompted by both [REDACTED] and [REDACTED] to try to obtain favors and money from wealthy people,
20 authorities and celebrities.

21 Police officers actually paid for meals for them and then got together an impromptu fund
22 for Christmas gifts.

23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 w [REDACTED]

17 In these instances, the parents, including specifically [REDACTED] put the children, particularly
18 [REDACTED] up to manipulating celebrities [REDACTED]
19 [REDACTED]
20 [REDACTED] This is
21 exactly what they did to Michael Jackson.

22 This is exactly the same approach that the [REDACTED] used in their lawsuit against [REDACTED]
23 [REDACTED] The [REDACTED] lawsuit against [REDACTED] provides a context for their various other
24 schemes to use their children for financial gain.

VIII.

THE DISTRICT ATTORNEY CONCEDES THAT [REDACTED] COMMITTED
PERJURY ON AT LEAST ONE OCCASION

The District Attorney concedes that [REDACTED] lied under oath, but only because, if she was not lying, they could not bolster her otherwise preposterous testimony with a Battered Women's Syndrome expert. (Motion, page 5.) At trial, defense counsel will demonstrate that this is only one of several times that [REDACTED] has committed perjury. The fact that [REDACTED] committed the felony offense of perjury is relevant to her credibility in the present case. The District Attorney's claim that her perjury was related to a "collateral matter" is unpersuasive.

The government's argument that [REDACTED] perjury related to "a collateral matter to the issues at bench" is puzzling. First, lying under oath is relevant to her credibility in the [REDACTED] case and in the present case. Second, the government has alleged that [REDACTED] was not only the victim of domestic violence on one occasion, but that she suffers from Battered Women's Syndrome as the result of repeated spousal abuse. The issue of whether or not she was actually the victim of domestic violence on one or more occasions has been raised by the prosecution and any statements made under oath regarding that alleged violence are clearly relevant to refute the government's convenient theory that her lying can be explained by BWS.

IX.

[REDACTED] INDEPENDENT ASSESSMENT THAT [REDACTED]
[REDACTED] THAT SHE COACHES HER CHILDREN TO LIE IS
RELEVANT TO THE CASE BAR

[REDACTED]
[REDACTED] As in the [REDACTED] case, [REDACTED]
[REDACTED] has set up a scam and coerced her children into participating in it. [REDACTED]
[REDACTED]
[REDACTED]

1 [REDACTED] (Motion, page 7.) The fact is,
2 however, that the District Attorney made the strategic decision to make this into much more than
3 a case about child abuse allegations. In doing so, the prosecution may believe that it has an
4 explanation for the [REDACTED] repeated statements that Mr. Jackson did nothing wrong, however,
5 the prosecution now must deal with the gaping holes in their conspiracy theory. The fact is that
6 the least credible witness in this entire case, [REDACTED], is the most critical witness in the
7 prosecution's case with regard to the conspiracy count. [REDACTED]

8 [REDACTED]
9 [REDACTED]. If the jury doesn't believe her, there is no
10 conspiracy case. Without the conspiracy case, there is no child molestation case.

11 The prosecution argues that [REDACTED]
12 [REDACTED] (Motion, page
13 7.) Of course, this ignores the fact that [REDACTED]
14 [REDACTED] testimony is
15 relevant to this case and the Court should allow it to be introduced to the jury.

16
17
18
19
20
21
22

23 ///
24
25

26 * Ironically, despite the claim that [REDACTED] mental health is irrelevant to this case,
27 the prosecution believes that her purported status as a battered woman has plenty to do with
whether her son was molested.

1 X.

2 CONCLUSION

3 For the above stated reasons, the Court should deny the District Attorney's motion.

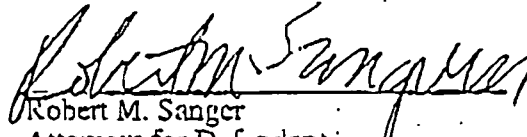
4 Dated: February 4, 2005

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

8 SANGER & SWYSEN
9 Robert M. Sanger

10 OXMAN & JAROSCAK
11 Brian Oxman

12 By:

13 
14 Robert M. Sanger
15 Attorneys for Defendant
16 MICHAEL JOSEPH JACKSON

EXHIBITS REDACTED

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA:

I am a citizen of the United States of America and a resident of the county aforesaid. I am employed by the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action. My business address is 312-H East Cook Street, Santa Maria, California.

On FEBRUARY 17, 2005, I served a copy of the attached ORDER FOR RELEASE OF REDACTED DOCUMENTS (OPPOSITION TO DISTRICT ATTORNEY'S MOTION TO LIMIT INTRODUCTION OF EVIDENCE OF PRIOR LITIGATION INVOLVING THE DOE FAMILY) addressed as follows:

THOMAS A. MESEREAU, JR.
COLLINS, MESEREAU, REDDOCK & YU, LLP
1875 CENTURY PARK EAST, 7TH FLOOR
LOS ANGELES, CA 90067

THOMAS W. SNEDDON, JR.
DISTRICT ATTORNEY'S OFFICE
1112 SANTA BARBARA STREET
SANTA BARBARA, CA 93101

FAX

By faxing true copies thereof to the receiving fax numbers of: (805) 456-0699 (Thomas Mesereau, Jr.); (805) 568-2398 (Thomas Sneddon), Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(1), a transmission report was properly issued by the transmitting facsimile machine and is attached hereto.

MAIL

By placing true copies thereof enclosed in a sealed envelope with postage fully prepaid, in the United States Postal Service mail box in the City of Santa Maria, County of Santa Barbara, addressed as above. That there is delivery service by the United States Postal Service at the place so addressed or that there is a regular communication by mail between the place of mailing and the place so addressed.

PERSONAL SERVICE

By leaving a true copy thereof at their office with the person having charge thereof or by hand delivery to the above mentioned parties.

EXPRESS MAIL

By depositing such envelope in a post office, mailbox, sub-post office, substation, mail chute, or other like facility regularly maintained by the United States Postal Service for receipt of Express Mail, in a sealed envelope, with express mail postage paid.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 17TH day of FEBRUARY, 2005, at Santa Maria, California.


CARRIE L. WAGNER