

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

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| Dated & Entered: APRIL 25, 2005 | Time: 8:35 A.M. | F | |
| Honorable RODNEY S. MELVILLE | | CC | |
| Deputy Clerk: L. FREY | Dept: SM TWO | CA | |
| Deputy Sheriff: L. AVILA | | AC | |
| Court Reporter: M. MC NEIL | Case No. 1133603 | SR | |
| Plaintiff: THE PEOPLE OF THE STATE OF CALIFORNIA | | ST | |
| Vs. | | DOC | X |
| Defendant(s): MICHAEL JOE JACKSON | | | |
| District Attorney: THOMAS W. SNEDDON, JR. | | | |
| Defense Counsel: THOMAS A. MESEREAU, JR. | | | |
| Probation Officer: | Interpreter: | | |

NATURE OF PROCEEDINGS: JURY TRIAL – FORTY FOURTH DAY

REQUEST FOR GRANT OF IMMUNITY FOR CYNTHIA MONTGOMERY; PLAINTIFF'S MOTION TO PRESENT THE TESTIMONY OF ALEXANDER MONTAGU MANCHESTER PURSUANT TO EVIDENCE CODE 1101; PEOPLE'S BRIEF REGARDING EVIDENTIARY FOUNDATIONS FOR DOCUMENTS FOUND DURING THE SEARCH OF THE HOME OF CO-CONSPIRATOR F. MARC SCHAFFEL; MOTION RE: TESTIMONY OF DEBBIE ROWE

Felony Complaint Filed December 18, 2003 charging the Defendant with Counts 1 thru 7: 288(a) P.C., Felonies, Counts 8 and 9: 222 P.C., Felonies, Enhancements on Counts 1 through 7: 1192.7(c)(6) P.C. and 1203.066(a)(8) P.C.

Indictment filed April 21, 2004 charging the Defendant with Count 1: 182 P.C., a Felony, Counts 2 through 5: 288(a) P.C., Felonies, Count 6: 664/288(a) P.C., a Felony, Counts 7 through 10: 222 P.C., Felonies, Special Allegations on Counts 2 through 5: 1192.7(c)(6) P.C. and 1203.066(a)(8) P.C.

The Court made orders re: Motion for Grant of Immunity for Cynthia Montgomery Granted; Plaintiff's Motion to Present the Testimony of Alexander Montagu Manchester Pursuant to Evidence Code 1101 Denied; Admissibility of Documents Found During the Search of the Home of Co-Conspirator F. Marc Schaffel Shall be on a Document by Document Basis; Motion re: Testimony of Debbie Rowe Granted; Exoneration of Two Bail Bonds; Continuance

At 8:35 A.M. in the absence of the Jury with Court, Counsel, Research Attorney Tracy Splitgerber and Defendant present, trial continued.

Counsel present for the People are Thomas W. Sneddon, Jr., Ronald Zonen, Gordon Auchincloss and Mag Nicola.

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Counsel present for the Defendant are Thomas A. Mesereau, Jr., Robert M. Sanger and Susan Yu.

Investigating Officer Steve Robel present for the People

Attorneys Mesereau, Auchincloss, Nicola and Sanger addressed the Court re: calling of Cynthia Montgomery as a witness and a grant of use immunity for Cynthia Montgomery, and calling Hamid Moslehi as a witness today. Cynthia Montgomery and her Attorney Bob Moore are present in Court. Attorney Moore addressed the Court. The Court orders that the Court shall grant the People's motion and grant the use immunity as to Cynthia Montgomery.

Attorney Sneddon advised the Court that Chris Carter will not be testifying in this case. The Court finds that admissibility of Gavin's statement to Chris Carter is no longer an issue.

Attorney Sanger addressed the Court re: two adult books. The Court shall reserve ruling on the issue of the two adult books.

Attorneys Zonen and Sanger addressed the Court re: Plaintiff's Motion to Present the Testimony of Alexander Montagu Manchester Pursuant to Evidence Code 1101. The Court orders that the motion shall be denied. The Court finds that the testimony doesn't comply with the previous ruling by the Court re grooming activities that are unrelated to actual allegations of molestation.

Attorneys Zonen and Sanger addressed the Court re: examination of Debbie Rowe.

Attorneys Auchincloss and Sanger addressed the Court re: People's Brief Regarding Evidentiary Foundations for Documents Found During the Search of the Home of Co-Conspirator F. Marc Schaffel. The Court shall rule on the admissibility of the documents on a document by document basis.

The Court shall give the Defense the time they requested to review a tape and prepare for examination of Cynthia Montgomery and Hamid Moslehi. Said witnesses shall be called tomorrow.

At 10:10 A.M. in the presence of the Jury with Court, Counsel and Defendant present, trial continued.

The Court orders that the motion re: Debbie Rowe shall be granted and the Court shall admit the testimony of Debbie Rowe.

Kassim Abdool sworn and examined as a witness on behalf of the People.

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Attorneys Sneddon and Mesereau examined the witness.

Jeff Klapakis recalled for further examination as a witness on behalf of the People.

Attorneys Auchincloss and Sanger examined the witness.

The following People's Exhibits Marked for Identification:

- 400 Marc Schaffel Files, SBSO #1310, 8/13/01 Neverland Valley Entertainment Work Agreement Between Michael Jackson and Marc Schaffel
- 401 Marc Schaffel's Rudy Provencio File, SBSO #1318, 8/13/01 Note from Provencio to Byrne and Agreement Conveying Rights from Michael Jackson to Marc Schaffel for "What More Can I Give" Production.

Craig Bonner recalled for further examination as a witness on behalf of the People.

Attorneys Auchincloss and Sanger examined the witness.

The following People's Exhibit Marked for Identification and Received into Evidence:

- 843 printed Pictures of Documents in Sheriff's Item #317.

The following People's Exhibits Marked for Identification:

- 402 Marc Schaffel's Payroll Records File, SBSO #1620, 11/12/01 Balance Sheet for "What More Can I Give" Production
- 404 Marc Schaffel's Stuart Backerman File, SBSO #1301AU, 2/6/03 Messages; 2/6/03 MJJ Working Group List
- 406 Marc Schaffel's Fox Contract #2 Drafts File, SBSO #1301 AT, 2/11/03 \$3 Million Contract Between Fox and Fire Mountain LLC Plus Fax Page; Proposed Changes To Contract for Second Fox Special Including Fax Cover from Alvin Mulnik to Marc Schaffel; Note to Michael and Al from Marc; 4/4/04 Fax and \$4 Million Contract from Fox to Marc Schaffel; 3/31/03 Authorization for Dieter Weisner To obtain Video Footage from Optima Warehouse Signed by Michael Jackson
- 407 Marc Schaffel's Ronald File, SBSO #1307 A, 2/6/03 E-Mail from Ronald to Marc and Stewart re: Spain Deal; 2/11/03 E-Mail from Ronald to Marc re: Money; 2/24/03 E-Mail from Kathryn to Marc/Rudy/Stuart re: Corey Feldman Urgent, Urgent; 2/24/03 E-Mail From Kathryn to Marc/Rudy/Stuart re: Notes and Quotes Feldman Urgent, Urgent

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- 408 Marc Schaffel's File, SBSO #1301 Fax, Floppy Disc Entitled "Foreign Rights Spread Sheet" Plus 3 Page Printout from Disc
- 409 Marc Schaffel's Christian Robinson File, SBSO #1306, Phone Numbers Sheet
- 411 Marc Schaffel's Enterprise Rental File, SBSO #1301 AB, 2/11/03 Rental Agreements for Silver Le Sabre and White Stra.
- 413 Marc Schaffel's Model Releases File, SBSO #1301 AP, 2/17/03 Fax'd Consent and Release Form For Janet Arvizo; 2/17/03 Fax'd Consent and Release Form for Davellin Arvizo; 2/17/03 Fax'd Consent and Release Form for Gavin Arvizo; 2/17/03 Fax'd Consent and Release Form for Star Arvizo; Yellow Page with Arvizo's Names Written on it; Hand Written Model Release for Janet Ventura Arvizo Paper Clipped to Fax Cover From David Le Grand to Vinnie and 6 Releases for the Arvizos' Simplified Model Release for Janet Ventura Arvizo; Simplified Model Release for Star David Arvizo; Simplified Model Release for Gavin Anton Arvizo
- 414 Marc Schaffel's Expenses File, SBSO #1301 AE, 2 Floppy Discs - One Marked Janet Cash Expenses and the Second Marked Janet Expense Backup; 7 Page Printout Of Contents of Floppy Discs
- 415 Marc Schaffel's Files Black Notebook, SBSO #1309, Accounting of Expenses and Receipts from Black Notebook (Complete Contents)
- 416 Marc Schaffel's File (Provided by Schaffel's Attorney Chris Cheney) SBSO #1619, Accounting of Expenses and Receipts
- 417 Marc Schaffel's David Le Grand File, SBSO #1302, Janet Strategies; 4/3/03 Fax from Le Grand to Marcia re: Janet Ventura Quote; 2/9/03 E-Mail from Le Grand to Marcia re: Proposed Rebuttal Statement and Other Urgent PR; 3/28/03 Fax Memo And Acknowledgment 20% for Marc Schaffel; 3/28/03 Termination Letter For Le Grand Signed by Michael Jackson
- 420 Marc Schaffel's File, SBSO Item #CD, Miscellaneous E-Mails
- 420-A Marc Schaffel's File, Additional Pages for Exhibit #420
- 421 Marc Schaffel's File, Armstrong Hirsch Jackoway Tyerman & Wertheimer Fax Cover Sheet and Agreement
- 422 Marc Schaffel's File, Letter of Intent from Royalty Advance Funding
- 423 Marc Schaffel's File, E-Mail from Various Correspondents.

Victor Alvarez recalled for further examination as a witness on behalf of the People.

Attorney Auchincloss examined the witness.

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The Court hereby orders that the Defendants Bail Bond No. A3000-0182296 dated November 20, 2003 in the sum of Three Million Dollars shall be exonerated; that the Defendant's Bail Bond No. A3000-00202181 dated April 30, 2004 in the sum of Three Million Dollars shall be exonerated.

At 2:00 P.M. the Court admonished the Jury and ordered a recess until April 26, 2005 at 8:30 A.M.

Defendant released on bail previously posted.

CLERK OF THE SUPERIOR COURT

BY *Lorna Frey*
LORNA FREY, DEPUTY CLERK

PROOF OF SERVICE
1013A(1)(3), 1013(c) CCP

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 May 3, 2005, 2005, I served a copy of the attached MINUTE ORDER 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(f), 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.

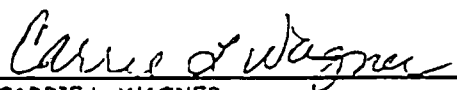
PERSONAL SERVICE

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 3RD day of MAY, 2005, at Santa Maria, California.


CARRIE L. WAGNER