

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

Dated & Entered: MAY 2, 2005	Time: 8:30 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 NINTH DAY**

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: Continuance**

At 8:30 A.M. in the presence of the Jury with Court, Counsel and Defendant present, trial continued.

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

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

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

- 200 Turnberry Isle Resort and Club, SBSO Item #1675, Custodian of Records Certification, MJJ Production Checks to Turnberry Resort
- 201 Turnberry Isle Resort and Club, SBSO Item #1675, 1-24-03 Fax Sheet with Confirmation with Franklin Party Room List
- 202 Turnberry Isle Resort and Club, SBSO Item #1675, 1/24/03-2/7/03, Fred Macy, Alex Franklin

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- 203 Turnberry Isle Resort and Club, SBSO Item #1675, 1/2/03-2/07/03, George Franklin, Alex Franklin
- 204 Turnberry Isle Resort and Club, SBSO Item #1675, 1/24/03-2/7/03, Patricia Franklin, Alex Franklin
- 205 Turnberry Isle Resort and Club, SBSO Item #1675, 1/24/03-2/7/03, Danny Franklin, Alex Franklin
- 206 Turnberry Isle Resort and Club, SBSO Item #1675, 1/24/03-2/07/03, Danny Franklin, Alex Franklin
- 207 Turnberry Isle Resort and Club, SBSO Item #1675, 1/24/03-2/7/03, Chris Franklin, Alex Franklin
- 208 Turnberry Isle Resort and Club, SBSO Item #1675, 1/24/03-2/7/03, Grace Franklin, Alex Franklin
- 209 Turnberry Isle Resort and Club, SBSO Item #1675, 1/24/03-2/7/03, Grace Franklin, Alex Franklin
- 210 Turnberry Isle Resort and Club, SBSO Item #1675, 1/24/03-2/7/03, Fred Macy, Alex Franklin
- 211 Turnberry Isle Resort and Club, SBSO Item #1675, 1/26/03-2/7/03, Andy Brandon, Alex Franklin
- 212 Turnberry Isle Resort and Club, SBSO Item #1675, 1/26/03-2/7/03, Tim Stressler, Alex Franklin
- 213 Turnberry Isle Resort and Club, SBSO Item #1675, 1/27/03-2/6/03, Alfred Hitchcock, Alex Franklin
- 214 Turnberry Isle Resort and Club, SBSO Item #1675, 2/1/03-2/7/03, Mike Franklin
- 215 Turnberry Isle Resort and Club, SBSO Item #1675, 2/5/03-2/7/03, Gavin Franklin, Alex Franklin
- 216 Turnberry Isle Resort and Club, SBSO Item #1675, 2/5/03-2/7/03, Gavin Franklin, Alex Franklin
- 217 Turnberry Isle Resort and Club, SBSO Item #1675, 2/5/03, Karin Faye, Alex Franklin
- 218 Turnberry Isle Resort and Club, SBSO Item #1675, 2/6/03, Hamid Franklin, Alex Franklin.

Upon stipulation of Counsel for respective parties the Court orders that the original subpoenaed records from the Country Inn may be released to the District Attorney.

Beverly Wagner sworn and examined as a witness on behalf of the People.

Attorneys Auchincloss and Sanger examined the witness.

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The following People's Exhibits Marked for Identification:

- 418 Marc Schaffel's File, SBSO #1301 AD, 3/31/03 Authorization Letter from Michael Jackson for \$1 Million Dollars; 4/2/03 Unsigned Receipt for \$1 Million Dollars; 4/2/03 \$1 Million Dollar Check for Cash; 4/2/03 Check Stub for \$1 Million Dollars from Petty Cash
- 419 Marc Schaffel's Files Blank Folder, SBSO #1303, 9/11/03 Signed Check to Paul Hugo for \$50,000; 9/11/03 Check Stub for \$50,000 Check to Paul Hugo; 9/19/03 Copy of Check for \$500,000 Cash Memo MJ Cash - Back of Copy Receipt for \$500,000 Cash Signed by Gary Hearn.

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

Attorneys Nicola and Sanger examined the witness.

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

- 859 Visual Chart re: Phone Calls Between Parties on 2-5-03 and Excel Spread Sheet
- 860 Linked Phone Calls and Excel Spread Sheet for 2-6-03
- 861 Linked Phone Calls and Excel Spread Sheet for 2-7-03
- 862 Linked Phone Calls and Excel Spread Sheet for 2-8-03
- 863 Linked Phone Calls and Excel Spread Sheet for 2-12-03
- 864 Linked Phone Calls and Excel Spread Sheet for 2-13-03
- 865 Linked Phone Calls and Excel Spread Sheet for 2-14-03
- 866 Linked Phone Calls and Excel Spread Sheet for 2-15-03
- 867 Linked Phone Calls and Excel Spread Sheet for 2-16-03
- 871 Linked Phone Calls and Excel Spread Sheet for 2-20-03
- 875 Linked Phone Calls and Excel Spread Sheet for 3-5-03
- 876 Linked Phone Calls and Excel Spread Sheet for 3-6-03
- 877 Linked Phone Calls and Excel Spread Sheet for 3-7-03
- 878 Linked Phone Calls and Excel Spread Sheet for 3-8-03
- 879 Linked Phone Calls and Excel Spread Sheet for 3-9-03.

The following People's Exhibits Marked for Identification:

- 868 Linked Phone Calls and Excel Spread Sheet for 2-17-03
- 869 Linked Phone Calls and Excel Spread Sheet for 2-18-03
- 870 Linked Phone Calls and Excel Spread Sheet for 2-19-03
- 880 Linked Phone Calls and Excel Spread Sheet
- 881 Linked Phone Calls and Excel Spread Sheet
- 882 Linked Phone Calls and Excel Spread Sheet.

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The following Defendant's Exhibits Marked for Identification and Received into Evidence:

- 5011 Diagram of Phone Records Drawn by Robert Sanger
- 5012 Diagram of Phone Records Drawn by Robert Sanger
- 5012 Diagram of Phone Records Drawn by Robert Sanger.

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

- 883 Correction to People's Exhibit #879.

Paul Zellis recalled for further examination as a witness on behalf of the People.

Attorneys Nicola and Sanger examined the witness.

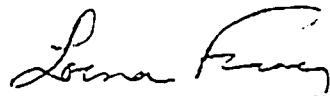
The following People's Exhibits Received into Evidence:

- 868, 869, 870, 880, 881 and 882.

At 2:30 P.M. the Court admonished the Jury and ordered a recess until May 3, 2005 at 8:30 A.M.

Defendant released on bail previously posted.

CLERK OF THE SUPERIOR COURT

BY   
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 12, 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, 7<sup>TH</sup> 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 12<sup>th</sup> day of MAY, 2005, at Santa Maria, California.

  
CARRIE L. WAGNER