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**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA

JUN 22 2005

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

4 **SANGER & SWYSEN**  
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8 Attorneys for Defendant  
9 **MICHAEL JOSEPH JACKSON**

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

14 **THE PEOPLE OF THE STATE OF**  
15 **CALIFORNIA,**

16 Plaintiffs,

17 vs.

18 **MICHAEL JOSEPH JACKSON,**

19 Defendant.

) Case No. 1133603

) **REQUEST THAT CERTAIN**  
) **TRANSCRIPTS AND DOCUMENTS**  
) **SHOULD REMAIN SEALED PURSUANT**  
) **TO RULE OF COURT 243.1(D)**

) ~~**UNDER SEAL AND IN CAMERA**~~

) Honorable Rodney S. Melville

) Date: TBD

) Time: TBD

) Dept: SM

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23 **TO THE CLERK OF THE ABOVE ENTITLED COURT:**

24 Pursuant to the Court's instructions on June 16, 2005, Mr. Jackson submits that documents  
25 and transcripts of hearings regarding the following subject matters remain sealed:

26 **1. Matters Related to Attorney-Client Privilege**

27 It is not possible to know exactly what was discussed in every proceeding. From what we  
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**EX PARTE APPLICATION FOR AN ORDER THAT CERTAIN DOCUMENTS REMAIN SEALED PURSUANT**  
**TO RULE OF COURT 243.1(D)**

1 have been able to determine from the documents, there were proceedings held in camera, out of the  
2 presence of the prosecution, which related to attorney-client privileged material that was not subject  
3 to any waiver. For instance, there were filings and attachments regarding the transition from Mark  
4 Geragos and Benjamin Brafman to Thomas Mesereau in which certain attorney client privileged  
5 material was disclosed. We believe that privilege still applies and that the material should continue  
6 to be sealed and that any transcripts of those proceedings should remain sealed.

7 **2. Personal Matters Regarding Counsel**

8 There were proceedings related to personal matters related to counsel including Steve  
9 Cochran's departure from the defense team and the health of Mr. Mesereau's sister. Transcripts and  
10 documents regarding these matters should remain sealed to protect the overriding interest of the right  
11 to privacy pursuant to Article I, Section 1 of the California Constitution.

12 **3. Personal Matters Regarding Jurors**

13 There were also proceedings regarding confidential matters that related to jurors. In  
14 particular, there was some discussion of completely unsupported allegations of juror conduct that  
15 should remain confidential. Police reports containing unsubstantiated allegations of misconduct  
16 should not be disclosed. Transcripts and documents regarding these matters should remain sealed  
17 to protect the overriding interest of the right to privacy pursuant to Article I, Section 1 of the  
18 California Constitution.

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TO RULE OF COURT 243.1(D)

1 4. Phone Records

2 To the extent that the exhibits are not returned to the parties submitting them, any phone  
3 records should be sealed or redacted as provided by prior court order.

4 Dated: June 22, 2005

5 Respectfully submitted,

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

9 SANGER & SWYSEN  
10 Robert M. Sanger  
11 Stephen K. Dunkle

12 By:



13 Stephen K. Dunkle  
14 Attorneys for Defendant  
15 MICHAEL JOSEPH JACKSON  
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