

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 IN AND FOR THE COUNTY OF SANTA BARBARA
3 SANTA MARIA BRANCH; COOK STREET DIVISION
4 DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

5

6

7 THE PEOPLE OF THE STATE OF)

8 CALIFORNIA,)

9 Plaintiff,)

10 -vs-) No. 1133603

11 MICHAEL JOE JACKSON,)

12 Defendant.)

13

14

15

16

17 REPORTER'S TRANSCRIPT OF PROCEEDINGS

18

19 THURSDAY, MARCH 17, 2005

20

21 8:40 A.M.

22

23 (PAGES 2456 THROUGH 2517)

24

25

26

27 REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

28 BY: Official Court Reporter 2456

1 APPEARANCES OF COUNSEL:

2

3 For Plaintiff: THOMAS W. SNEDDON, JR.,

4 District Attorney -and-

5 RONALD J. ZONEN, Sr. Deputy District Attorney

6 -and- GORDON AUCHINCLOSS,

7 Sr. Deputy District Attorney

1112 Santa Barbara Street

8 Santa Barbara, California 93101

9

10

11 For Defendant: COLLINS, MESEREAU, REDDOCK & YU BY: THOMAS A.

MESEREAU, JR., ESQ.

12 -and- SUSAN C. YU, ESQ.

13 1875 Century Park East, Suite 700 Los Angeles, California 90067

14 -and-

15 SANGER & SWYSEN

16 BY: ROBERT M. SANGER, ESQ. 233 East Carrillo Street, Suite C

17 Santa Barbara, California 93101

18 -and-

19 OXMAN and JAROSCAK BY: R. BRIAN OXMAN, ESQ.
20 14126 East Rosecrans Boulevard Santa Fe Springs, California 90670
21
22
23
24
25
26
27
28 2457

1 I N D E X

2
3 Note: Mr. Sneddon is listed as "SN" on index.
4 Mr. Zonen is listed as "Z" on index. Mr. Auchincloss is listed as "A"
on index.
5 Mr. Mesereau is listed as "M" on index. Ms. Yu is listed as "Y" on
index.
6 Mr. Sanger is listed as "SA" on index. Mr. Oxman is listed as "O" on
index.

7
8
9 PLAINTIFF'S WITNESSES DIRECT CROSS REDIRECT RECROSS

10
11 COLEMAN, Fritz 2461-Z 2473-M 2501-Z
12 FOURNIER, Kiki 2504-Z

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28 2458

1 Santa Maria, California
2 Thursday, March 17, 2005
3 8:40 a.m.
4
5 THE COURT: Good morning.
6 THE JURY: (In unison) Good morning.
7 COUNSEL AT COUNSEL TABLE: (In unison)

8 Good morning, Your Honor.
9 THE COURT: The reason we're starting a
10 little late this morning is we had a conference with
11 counsel. And, for several reasons, I'm going to
12 release the jury tomorrow so that they do not have
13 to be here.
14 And the reasons are, one, that one of the
15 jurors has a pressing family matter that, while it
16 doesn't demand that we close the court down, it
17 would be better if we did.
18 Secondly, the attorneys and myself have
19 been, I think, pushing ourselves very hard, or I've
20 been pushing everybody very hard. Depends on how
21 you look at it. And I think a break for everybody
22 is in order.
23 And there are three or four minor -- by
24 "minor," I mean -- I shouldn't say "minor." There
25 are three or four issues that the attorneys and the
26 Court need to deal with before next week. They're
27 issues that have been mentioned yesterday that we
28 just couldn't get to. This way, we can work for 2459

1 what I would anticipate to be a short time tomorrow
2 morning on those issues, and then you would have the
3 rest of the day off. We all would have the rest of
4 the day to do our other work. So that's what I'm
5 going to do.
6 The Court will also be in session only
7 one-half a day next Tuesday. Tuesday afternoon we
8 are dedicating the new Juvenile Court facility, and
9 the new Juvenile Hall in Santa Maria out on -- off
10 of California Street. And of course you're all
11 invited. I know, I won't see you there. But that's
12 the reason that we will not be in session Tuesday
13 afternoon. I will stop at 11:30, at our normal
14 11:30 break.
15 All right. I think that that takes care of
16 the issue of being dark tomorrow.
17 And Mr. Jackson, you do not need to attend,
18 unless you want to, tomorrow morning.
19 THE DEFENDANT: Okay.
20 MR. SANGER: Thank you.
21 THE COURT: Are you ready to proceed.
22 MR. ZONEN: Yes, Your Honor. We'll call our
23 next witness. We call Fritz Coleman to the stand,
24 please.
25 THE COURT: Remain standing, raise your right
26 hand, please.
27 //
28 // 2460

1 FRITZ COLEMAN
2 Having been sworn, testified as follows:
3
4 THE WITNESS: Yes, I do.
5 THE CLERK: Please be seated. State and
6 spell your name for the record.
7 THE WITNESS: Fritz Coleman, F-r-i-t-z
8 C-o-l-e-m-a-n.
9 THE CLERK: Thank you.
10
11 DIRECT EXAMINATION
12 BY MR. ZONEN:
13 Q. Mr. Coleman, good morning.
14 A. Good morning.
15 Q. Sir, what is your current occupation.
16 THE COURT: Back in the back, Counsel. Is
17 your mike on.
18 Thank you.
19 MR. ZONEN: Yes, it is.
20 Q. Sir, what is your current occupation.
21 A. I'm a weather forecaster at Channel 4, the
22 local NBC station in Los Angeles.
23 Q. And how long have you held that position.
24 A. 23 years.
25 Q. Prior to that, did you have other television
26 experience.
27 A. Minor television experience. That was my --
28 I was in the stand-up comedy business before that, 2461

1 actually.
2 Q. Do you know Jamie Masada.
3 A. Yes, I do.
4 Q. Do you know the business that he runs.
5 A. Yes, I do.
6 Q. What business is that.
7 A. Owner of The Laugh Factory, a comedy club in
8 Hollywood.
9 Q. And tell us what The Laugh Factory is. What
10 do they do.
11 A. The Laugh Factory is a comedy nightclub that
12 has one to two shows per night every week where a
13 cavalcade of five to six comedians perform every
14 night.
15 Q. Have you ever performed there.
16 A. Yes, I have.
17 Q. Do they have a camp, a summer camp, that
18 they run out of The Laugh Factory.
19 A. Yes, they do.
20 Q. Have you ever worked with that summer camp,
21 with the children who go there.
22 A. Yes, I did.

23 Q. And the type of children who go there,
24 they're from where.
25 A. Underprivileged children, at-risk children.
26 Group homes, poor families.
27 Q. How long has that summer camp existed.
28 A. I don't know the answer to that. I think 2462

1 five or six, seven years maybe.
2 Q. All right. Did you ever have an opportunity
3 to meet any of the children in the Arvizo family.
4 A. Yes, I did. I was invited, as were many of
5 the comedians that performed at The Laugh Factory,
6 to be a guest teacher for one day, on one Saturday.
7 And the Saturday that I taught there, I met all
8 three of the children.
9 Q. Can you tell us their names. Do you recall
10 their names.
11 A. Gavin, Star, and Davellin.
12 Q. Were either of their parents, a mother or
13 father, present at the time that you met them.
14 A. The mother came to pick them up at the end
15 of the day. That was my brief encounter with her.
16 Q. And do you remember her name.
17 A. I don't know, I'm sorry to say.
18 Q. And did the children perform during that
19 day.
20 A. Yes, they did.
21 Q. Did you work with them during that day.
22 A. Yes, I did.
23 Q. And how did you find them at that time.
24 A. I found them personable and polite and
25 charismatic and --
26 Q. And do you remember how long ago that was.
27 A. I would say 1999.
28 Q. At some time did you learn that one of the 2463

1 three children became afflicted with cancer.
2 A. Yes.
3 Q. Do you recall when that was, the year that
4 was.
5 A. Um, I think it was 2000, because after my
6 tenure as the teacher there, I lost touch with the
7 family until a group of people just sort of began to
8 discuss that Gavin was in Kaiser with cancer.
9 Q. All right. At some point in time, did you
10 have an occasion to visit their home, the Arvizo
11 family home.
12 A. Yes, I did. Once. The Christmas after the
13 summer when I was the instructor there, my good
14 friend, Louise Palanker, and I decided that we

15 would, for lack of a better term, adopt this family
16 for Christmas. They were, to our learning, in dire
17 financial straits.
18 And I had two young sons who were 12 and 10
19 at the time, and wanted to seize an opportunity to
20 do something nice for a family and sort of bring
21 them along the process, just to help them appreciate
22 more what they had in their own lives.
23 So my friend Louise and I went to Best Buy,
24 and bought several hundred dollars worth of
25 Christmas gifts - video game equipment, movies - and
26 wrapped them. And then my sons and I and Louise
27 took them down to their home in East L.A., and I was
28 in their home for a total of 20 minutes, just to 2464

1 drop the gifts off, and get hugs from the kids, and
2 we were out of there.

3 Q. Did anybody from the Arvizo family solicit
4 those gifts.

5 A. No.

6 Q. Did they ask you in advance.

7 A. No.

8 Q. Did they know in advance that you were doing
9 this.

10 MR. MESEREAU: Objection; calls for
11 speculation.

12 THE COURT: Sustained.

13 Q. BY MR. ZONEN: Did you tell them in advance
14 that you were doing this.

15 A. I don't think so. I think after we bought
16 them we said, "May we pay you a Christmas visit."
17 And they sort of -- they knew before the precise
18 moment we took gifts down there, but it was
19 something we just sort of did a couple of weeks in
20 advance and brought them into the process later.
21 They didn't know before we shopped or anything. It
22 was totally our idea.

23 Q. All right. How did you know where they
24 lived.

25 A. My friend Louise got their address, and we
26 just navigated our way down there.

27 Q. Was Gavin healthy at the time or -- was this
28 prior to the -- 2465

1 A. This is before the cancer, yes.

2 Q. And the kids were approximately how old at
3 that time, if you recall.

4 A. I would say between 8 and 11. Somewhere in
5 that area. I'm sorry I can't be precise.

6 Q. Did you, in fact, go to their house and go

7 into their apartment.

8 A. Yes, I did.

9 Q. Do you have a recollection of what the
10 apartment looked like.

11 A. Yes, it was very small. Very clean. And I
12 remember that the room was partitioned with sheets,
13 because there were -- with the three children and
14 the two adults, five people, living in a very small
15 space. I was just stricken with how small it was.

16 Q. And the small space you're describing, was
17 it more than one room.

18 A. I didn't take a tour of the home. It seemed
19 like it was one room. Again, partitioned by these
20 sheets that they had set up to sort of divide areas
21 of the room.

22 Q. When you were there, did you have a
23 conversation with any of the members of the family.

24 A. Yes. The people who were there. I -- I'm
25 not actually sure if the father was there. But I
26 remember the mother being there, and the three
27 children. And it was really a very brief encounter.
28 15 to 20 minutes. 2466

1 Q. Would you describe the mother's reaction to
2 your bringing the gifts.

3 A. Very thankful. The children, very thankful.
4 I got the feeling that this might have been the only
5 Christmas they were going to have. It just seemed
6 like it was the right thing to do, and perhaps it
7 was -- it saved Christmas for them. That was my
8 feeling. They never expressed that, but it was my
9 feeling.

10 Q. And your kids came into the home as well.

11 A. My children came into the home. My young
12 son was actually afraid to get out of the car. This
13 was not a neighborhood that he was familiar with, so
14 he had to be coerced from the car.

15 So my older son went in with me first, and
16 then we went and got my younger son, who wanted to
17 stay in the car.

18 Q. All right. When was the next time that you
19 had an opportunity to visit with any member of the
20 Arvizo family; do you recall.

21 A. Having learned that Gavin had cancer, I
22 saw -- I don't remember which of the siblings was at
23 the hospital, but the next time I saw him was he and
24 his dad at the hospital.

25 Q. What was Gavin's condition at the time you
26 saw him.

27 A. Very ill.

28 Q. How did he appear to you. 2467

1 A. He appeared very drawn and pale. And this
2 was in the darkest days of his diagnosis when they
3 weren't sure he was going to make it. And he was
4 very sick to his stomach, and it was very hard to
5 watch.

6 Q. All right. How many times do you believe
7 you visited him at the hospital.

8 A. Several. I would say between three and
9 five, if my memory serves me.

10 Q. During the period of time that he was ill,
11 were you involved in any fund-raising efforts on
12 behalf of either the Arvizo family or Gavin Arvizo
13 specifically.

14 A. Yes, I was. The Laugh Factory decided they
15 wanted to do a fund-raiser for this family. It was
16 apparent to us that they needed the money, because
17 David was not working. He was staying every night
18 at the hospital with Gavin, and so we thought it
19 would be a good idea.

20 I'm not exactly certain where this idea came
21 from. I'm assuming it was Jamie Masada, because he
22 did those things all the time, charity events at the
23 club.

24 And so I was happy to be involved. I was
25 happy to make an announcement on my television
26 station about it. My station was very liberal in
27 allowing me to do community outreach charity events
28 like that, as long as I didn't benefit from them 2468

1 personally.

2 And so I made an announcement inviting our
3 viewers to come, and also made an announcement about
4 the need for blood for Gavin. He needed
5 transfusions at that time. And so we did this
6 benefit, as we've done for many other people.

7 Q. Did Gavin's mother involve herself in any
8 way with you in efforts to arrange solicitation for
9 his charitable donations.

10 A. Not with me, no.

11 Q. Did she ever have a conversation with you at
12 all about that.

13 A. No.

14 Q. Did you have a conversation with any member
15 of the Arvizo family for that.

16 A. No, my relationship for that fund-raiser was
17 totally with Jamie Masada. It was -- he spearheaded
18 the evening, and I was just doing sort of what he
19 suggested.

20 Q. Do you remember if there was actually -- if
21 the fund-raising effort actually occurred.

22 A. Yes.
23 Q. Was that at The Laugh Factory.
24 A. Yes.
25 Q. Tell us where The Laugh Factory is.
26 A. It's the corner of Laurel Canyon and --
27 Laurel Avenue and Sunset Boulevard in Hollywood.
28 Q. That particular event, did that take place 2469

1 in the evening.

2 A. Yes.

3 Q. Do you remember approximately when it took
4 place.

5 A. It was a weekday event. If it's like his
6 other shows, if I can remember, it was probably an
7 eight o'clock start, and there were five or six
8 comics. And I was on early in the evening, because
9 I had to go back and do the eleven o'clock news.

10 Q. Do you know if that was during the time that
11 Gavin was still ill with cancer, before he went into
12 remission.

13 A. I can't be certain about that, but it seems
14 to me like it was close to the beginning of his
15 being ill when we were all concerned about him every
16 day. I think it was close to the beginning, if I'm
17 not mistaken.

18 Q. Was that in conjunction with the effort to
19 get blood to him.

20 A. Yes.

21 Q. All right. Which would suggest that he was
22 probably still in need of it.

23 A. Yes.

24 Q. Did you see the mother of this child,
25 Gavin's mother, at that fund-raiser at The Laugh
26 Factory.

27 A. No.

28 Q. Do you remember if you saw any other member 2470

1 of the Arvizo family.

2 A. I saw David. I went in the front door upon
3 arriving, and my recollection was that they had a
4 table set up to the right of the entrance of The
5 Laugh Factory where they had, I'm not sure how many
6 people, but it seemed to be a representative of The
7 Laugh Factory and David himself and people taking
8 tickets, and maybe taking further donations if
9 anyone decided to make a donation to the family over
10 and above what the cover charge of the club was.

11 But I couldn't tell you how many people. David was
12 the only person, other than Gavin, that I saw there
13 that night.

14 Q. All right. Were you involved in any way in
15 the distribution of the money that was collected.

16 A. No. No.

17 Q. Are you aware as to how much money was
18 collected that night.

19 A. No. Check that. I heard in conversation
20 afterwards that it was a couple thousand dollars.
21 Just in talk amongst the comics and Jamie. But it
22 was an unofficial thing. I saw no bookwork, I saw
23 no cash exchange hands. I wasn't involved in that
24 at all.

25 Q. Could you tell if it was a fairly good
26 turnout at The Laugh Factory.

27 A. That club is always full, so I -- it
28 probably was a relatively full room. I couldn't 2471

1 tell you exactly how many audience members were
2 there.

3 Q. Do you remember what other comedians were
4 there.

5 A. Well, I was at the beginning of the show,
6 because I was -- again, it was a lunch break for me,
7 and I was on my way back to do the news.

8 I think that Chris Tucker was there. Maybe
9 Bob Saget. Some of the ongoing Laugh Factory
10 regular comedians. But I didn't see the rest of the
11 show, so I couldn't swear to their presence there,
12 honestly.

13 Q. Do you remember any other occasion where you
14 may have seen the mother of Gavin, Gavin's mom.

15 A. I saw Gavin's mom a total of three times in
16 my whole experience with the family. One was when
17 she came to pick the children up at the end of
18 comedy camp. The other time was when we delivered
19 the presents to her house. And the last time was my
20 final visit to see Gavin in the hospital after his
21 first bout. She came in toward the end of my visit
22 there. And I hadn't seen her.

23 I think the legend was that because David
24 was not working and staying with Gavin, she was
25 working all the time. So they were never at the
26 hospital at the same time.

27 However, my last visit, she came in at the
28 end, and that was it. And that was a total of a 2472

1 half hour.

2 Q. Do you remember anything unusual about your
3 conversations with her at all.

4 A. No.

5 Q. Did she ever solicit money from you.

6 A. No.
7 Q. Did she ever ask you to do anything on her
8 behalf or on behalf of her family.
9 A. No.
10 Q. Was there anything at any time inappropriate
11 about her behavior with you.
12 A. No.
13 MR. ZONEN: Thank you. I have no further
14 questions.
15 THE COURT: Mr. Mesereau.
16 MR. MESEREAU: Yes, please, Your Honor.
17
18 CROSS-EXAMINATION
19 BY MR. MR. MESEREAU:
20 Q. Good morning, Mr. Coleman.
21 A. Good morning.
22 Q. My name is Thomas Mesereau and I speak for
23 Mr. Jackson.
24 We have not met before.
25 A. Right.
26 Q. Never spoke on the phone.
27 A. No, sir.
28 Q. You did talk to one of our investigators, 2473

1 Mr. Scott Ross, right.
2 A. Right.
3 Q. How many times did you speak to him.
4 A. Two times in person, one time when he did
5 the initial interview, and one time when he issued
6 my subpoena. And I think one time on the phone, I
7 think.
8 Q. Okay. When did you first meet the Arvizo
9 family.
10 A. I met them at the comedy camp, as I stated
11 earlier, which was a Saturday in the summer, I
12 think, of 1999. It was a one-day encounter with
13 them, because each of the instructors was only there
14 for one day.
15 Q. Okay. Now, at that point was Gavin ill.
16 A. No.
17 Q. Okay. Approximately when do you recall
18 Gavin becoming ill.
19 A. I remember learning about it - I'm real
20 fuzzy about this - anywhere from six months to a
21 year after I met the family. I'm sorry, I'm --
22 Q. Okay. And approximately when do you think
23 the fund-raiser took place.
24 A. I want to say -- I'll be honest with you,
25 the timeline that we've discussed since this
26 investigation started seems to be about October
27 2000.
28 Q. Okay. Now, at some point, did you learn the 2474

1 Arvizo family had obtained over \$100,000 in a
2 lawsuit with J.C. Penney.
3 A. No, I hadn't.
4 MR. ZONEN: Your Honor, I'm going to object
5 to information that would be hearsay. Move to
6 strike.
7 THE COURT: Overruled.
8 Q. BY MR. MESEREAU: Did you ever have a
9 discussion with any of the Arvizos about their
10 filing a lawsuit against J.C. Penney.
11 A. No. My first knowledge that I was even
12 mentioned in the J.C. Penney arrest was when the New
13 York Daily News called me at the beginning of this
14 case to ask me if I had a comment about it, and that
15 was my first learning of that information.
16 Q. And what did you learn about your name being
17 used in that case.
18 MR. ZONEN: I will object as hearsay.
19 THE COURT: Sustained.
20 Q. BY MR. MESEREAU: Did you learn at some
21 point that your name had come up in the J.C. Penney
22 lawsuit.
23 MR. ZONEN: I will object as hearsay.
24 THE COURT: Sustained.
25 Q. BY MR. MESEREAU: Do you know anything about
26 Janet Arvizo telling the Los Angeles Police
27 Department when she called them about David that you
28 were going to help her -- 2475

1 MR. ZONEN: I'm going to object as hearsay
2 and irrelevant.
3 THE COURT: I have to have the complete
4 question.
5 Did you finish the question, Mr. Mesereau.
6 MR. MESEREAU: I'm not sure. I think Mr.
7 Zonen may have interrupted before I completed it,
8 Your Honor.
9 THE COURT: I can't tell if you completed it
10 either.
11 MR. MESEREAU: I can rephrase it, Your
12 Honor.
13 Q. Mr. Coleman, did you ever authorize Janet
14 Arvizo to tell the Los Angeles Police Department
15 that you were going to help her in a domestic
16 violence case against her ex-husband David.
17 A. Never.
18 Q. Did you ever learn that she had told the Los
19 Angeles Police Department, "Fritz Coleman, Kobe
20 Bryant, and Michael Jackson are going to help me in

21 my case against my husband".
22 A. Yes, I did.
23 Q. Where did you learn that.
24 A. I learned it from a New York Daily News
25 reporter who was calling me to get comments about
26 this particular case.
27 Q. And did you respond.
28 A. I said I knew nothing about it. 2476

1 Q. So you never had a discussion with her about
2 that.
3 A. No.
4 Q. You never authorized her to use your name,
5 correct.
6 A. No.
7 Q. Have you ever authorized Janet Arvizo to use
8 your name in any lawsuit.
9 A. No.
10 Q. Okay. Have you ever discussed any lawsuit
11 with Janet Arvizo.
12 A. No.
13 Q. Okay. Now, you indicated that you visited
14 the -- what was described to you as a family
15 residence in East Los Angeles, right.
16 A. Yes.
17 Q. And that was on Soto Street, right.
18 A. Yes.
19 Q. Okay. And who arranged for you to visit the
20 residence at Soto Street.
21 A. My friend Louise Palanker, who was working
22 at The Laugh Factory at the time, and was sort of my
23 liaison with the family. She learned the address.
24 I don't know how she learned the address. But she
25 had the instructions, and I drove.
26 Q. Now, did anyone ever tell you that there was
27 a second address in El Monte that the family used.
28 A. No. 2477

1 Q. Did you know anything about where their
2 grandparents lived.
3 A. No.
4 Q. Okay. Have you ever been to a different
5 location in El Monte where that family has lived.
6 A. No.
7 Q. Okay. Were you aware of any efforts by the
8 Arvizos to obtain automobiles from other
9 celebrities.
10 A. No.
11 Q. Knew nothing about any attempt to obtain an
12 automobile from Michael Jackson.

13 MR. ZONEN: I'll object as hearsay.
14 THE COURT: Sustained.
15 Q. BY MR. MESEREAU: Were you aware of any
16 other attempts by the Arvizo family to obtain cash
17 from celebrities, other than the fund-raiser you're
18 talking about.
19 MR. ZONEN: I'll object as vague. Which
20 Arvizo.
21 MR. MESEREAU: I'll go through them. I'll
22 rephrase.
23 Q. Were you ever aware of any attempt by Janet
24 Arvizo to obtain cash money from any celebrity.
25 A. No.
26 Q. Were you ever aware of David Arvizo
27 attempting to obtain cash from any celebrity.
28 A. May I say that I had heard conversation 2478

1 about him having done that. I don't know if it
2 works in this case. There were some stories that he
3 had approached George Lopez and was -- David, and
4 was fairly persistent about it, raising George's
5 anger.

6 Again, this is hearsay. I heard this
7 third-person rumor. But there were conversations
8 around The Laugh Factory that he, in fact, had
9 become a problem with George Lopez.

10 Q. Were you ever aware of Gavin Arvizo calling
11 Jay Leno on the phone to ask for money.
12 A. No.

13 MR. ZONEN: Assumes facts not in evidence;
14 objection.

15 THE COURT: All right. The answer is in:
16 "No." And next question.

17 MR. MESEREAU: Okay.

18 Q. Did you ever hear of Janet Arvizo
19 approaching Mr. Leno for money.

20 MR. ZONEN: Objection; assuming facts not in
21 evidence.

22 THE COURT: Calls for hearsay. Sustained.

23 Q. BY MR. MESEREAU: To your knowledge, was
24 Janet Arvizo approaching any other comedian and
25 asking for money at the same time that you were
26 making efforts to raise funds for the family.

27 A. No.

28 Q. Okay. Were you -- did you have any 2479

1 knowledge of either -- well, let me just go one at a
2 time. Did you have any -- let me rephrase it.

3 MR. ZONEN: I'm going to object to any
4 questions starting with "Do you have knowledge" if

5 there's no foundation that it's personal knowledge.
6 MR. MESEREAU: Well --
7 MR. ZONEN: Simply hearing something from
8 somebody else is hearsay.
9 THE COURT: We have to wait till the question
10 is completed. And you can't object in advance to
11 all questions.
12 Go ahead.
13 MR. MESEREAU: Thank you, Your Honor.
14 Q. Mr. Coleman, obviously you were involved in
15 efforts to raise money for the Arvizo family, right.
16 A. Yes.
17 Q. And the motivation for your efforts was your
18 belief that the Arvizo family needed money for
19 medical expenses, true.
20 A. I would say that my understanding was that
21 the Arvizo family needed money, and I -- my
22 involvement wasn't because of a specific need for
23 medical expenses. It was just that I had been to
24 their home and know that, for whatever reason, they
25 needed money.
26 Q. But you had mentioned to our investigator,
27 Scott Ross, on one occasion, that it was your belief
28 that you were raising money for medical expenses for 2480

1 Gavin, correct.
2 A. That may have been part of the conversation.
3 But I think my original desire to be involved with
4 it really wasn't that specific. I just said, "Yes,"
5 not even needing specific areas where the money
6 would go.
7 Q. Did you know that the Arvizo family was
8 engaged in any other fund-raising efforts at the
9 time that you were doing this.
10 A. No.
11 Q. Did you know of any newspaper ads saying
12 chemotherapy costs \$12,000 a session. Do you know
13 anything about that.
14 A. No.
15 Q. Okay. And did you ever have a discussion
16 with any of the Arvizos about whether they had
17 insurance coverage that was paying all the medical
18 bills.
19 A. No.
20 Q. Okay. Did you know anything about efforts
21 to solicit funds or benefits from Los Angeles police
22 officers.
23 A. No.
24 Q. Okay. Now, I assume you met Star Arvizo,
25 correct.
26 A. Right.
27 Q. Davellin Arvizo, right.

28 A. Uh-huh. 2481

1 Q. Obviously Gavin.

2 A. Yes.

3 Q. And you met his mother.

4 A. Yes.

5 Q. And you met David.

6 A. Yes.

7 Q. Did you meet any other people that were

8 related to the Arvizos, to your knowledge.

9 A. No. No.

10 Q. And you visited their home on Soto Street in

11 East Los Angeles how many times.

12 A. Once.

13 Q. And was the purpose, in your mind, for you

14 to donate something to the Arvizos.

15 A. It was -- my purpose in it was to teach my

16 children something, which was we're going to do

17 something for folks who can't afford to have a

18 really good Christmas like we always have.

19 And Louise and I -- and I don't know when

20 the conversation came up -- said that this would be

21 a great way for us to do that, to take care of the

22 Arvizos, that we had become very fond of because of

23 comedy camp, and to do this for my kids. It was

24 just -- it was a spur-of-the-moment thing. That was

25 the only reason.

26 Q. Now, correct me if I'm wrong, I think you

27 said in response to the prosecutor's questions that

28 it was your belief David Arvizo was not working, 2482

1 right.

2 A. Well, I don't see how he could have been,

3 because he was at the hospital every time and slept

4 overnight in an adjacent bed. So I think we all

5 assumed that he had taken a leave from work or was

6 not -- between jobs or something. No one told me

7 that. It was just sort of what we observed.

8 Q. And did you know at that time whether or not

9 Janet Arvizo was actually working.

10 A. I was told that she was, which was why we

11 never saw her at the initial few visits to the

12 hospital.

13 Q. Okay. You mentioned a blood drive.

14 A. Uh-huh.

15 Q. Or I think the prosecutor mentioned a blood

16 drive.

17 Were you part of any effort to put together

18 a blood drive for Gavin.

19 A. I wasn't part of putting it together. I

20 made an announcement on television about this
21 benefit, which I'm allowed to do unofficially all
22 the time.
23 And in the context of that announcement, I
24 mentioned that "We're also trying to find some blood
25 for this child." But I wasn't part of the
26 organizing of the drive, or the location, or the
27 times, or the official carrying out of the event at
28 all. 2483

1 Q. Were you ever aware of Michael Jackson
2 putting together a blood drive for Gavin.

3 A. No.

4 Q. Okay. So you never participated with
5 Michael Jackson --

6 A. No.

7 Q. -- in any fund-raising activity --

8 A. No.

9 Q. -- or blood-drive activity.

10 A. No.

11 Q. Okay. Now, who told you this family was
12 impoverished.

13 A. Well, the prerequisite to be in the comedy
14 camp was to be from a needy situation. They had
15 children who were from group homes with disciplinary
16 problems, emotional problems, or people from poverty
17 stricken areas. That was Jamie's mandate.

18 So that them just being in attendance at
19 this comedy camp sort of put them in that area.

20 Q. Now, this would have been before Gavin
21 became ill, correct.

22 A. Right. That was my first meeting with him,
23 which was the summer of '99.

24 Q. Now, when you first met the Arvizos before
25 Gavin became ill, was it your understanding that
26 David was employed.

27 A. I didn't have an opinion about it at that
28 point. I knew nothing about the family's personal 2484

1 life. I just knew that they were probably in these
2 circumstances because they were there.

3 Q. And before you -- excuse me. When you first
4 met the Arvizos, again, before Gavin became ill, was
5 it your belief that Janet was unemployed.

6 A. I -- again, I didn't have that knowledge.
7 I just --

8 Q. But your assumption was they must be poor or
9 they wouldn't be in this program, correct.

10 A. Absolutely.

11 Q. And you never had -- made any effort to find

12 out whether they were working or not working, right.

13 A. No.

14 Q. Did you know whether or not they were
15 collecting welfare.

16 A. No.

17 Q. Did you know whether or not they were
18 collecting disability benefits.

19 A. No.

20 Q. Do you know whether or not they were
21 collecting food stamps.

22 A. No, sir.

23 Q. Okay. Were you aware of their being in any
24 other programs for impoverished families.

25 A. I knew nothing about their personal life at
26 all.

27 Q. Now, you were active in The Laugh Factory at
28 that point, right. 2485

1 A. Yes. Uh-huh.

2 Q. And were you active in organizing this
3 summer camp that you've described.

4 A. No, I was a guest teacher. Every Saturday
5 they had a different guest. Arsenio Hall and George
6 Lopez and Bob Saget and comedians who worked there
7 regularly would donate eight hours a Saturday. We
8 had one instructor per Saturday, and this happened
9 to be my particular Saturday when I met the Arvizos.

10 Q. Who did you believe was responsible for
11 deciding who is impoverished and who needs help at
12 The Laugh Factory.

13 A. The decision was Jamie Masada's. It was his
14 club. It was his program. And I -- I'm assuming
15 that -- well, I shouldn't assume. But I would
16 gather that he worked in conjunction with social
17 service agencies to maybe get these children
18 funneled there. It seemed like there were people
19 from that, from that realm there as well. I'm not
20 certain about that. I'm assuming that.

21 Q. Do you know whether or not the Arvizos
22 approached Jamie Masada, or Jamie Masada approached
23 the Arvizos for purposes of that summer camp.

24 A. I have no knowledge of that.

25 Q. Okay. Now, before Gavin became ill, did
26 you -- were you aware of any efforts at The Laugh
27 Factory to raise money for the Arvizos.

28 A. No. 2486

1 Q. Okay. Were you aware of any other efforts
2 anywhere else to raise money for the Arvizos.

3 A. No.

4 Q. Okay. And who told you Gavin was ill.
5 A. I don't remember precisely who it was. It
6 may have been my friend Louise Palanker, who was
7 sort of my liaison with The Laugh Factory on a
8 ongoing basis. It may have been Jamie Masada.
9 Just -- it became knowledge among the comedians down
10 there.
11 Q. And was it your understanding that Louise
12 Palanker was donating money to the Arvizos.
13 A. Yes.
14 Q. Did you ever learn how much.
15 A. Yes.
16 MR. ZONEN: I'm going to object as hearsay,
17 unless he was personally present.
18 THE COURT: As to the question and the answer
19 that were given, the objection is overruled.
20 MR. MESEREAU: Okay.
21 Q. Did you ever personally see Louise Palanker
22 write out checks to the Arvizos.
23 A. No.
24 Q. Did she ever tell you how much she had given
25 the Arvizos.
26 A. Yes.
27 Q. How much was that.
28 MR. ZONEN: I'll object as hearsay. 2487

1 THE COURT: Sustained.
2 Q. BY MR. MESEREAU: And was Louise Palanker
3 encouraging you to give money to the Arvizos.
4 A. No.
5 Q. Do you have any knowledge of Chris Tucker
6 giving anything to the Arvizos.
7 A. Not firsthand knowledge, but it was legend
8 that he had been extremely generous with shoes and
9 cash and those things. But I'm not a friend of
10 Chris's. This was just sort of legend around The
11 Laugh Factory at the time, he had been very generous
12 with them.
13 Q. Now, was Chris Tucker a regular at The Laugh
14 Factory, as far as you know.
15 A. Yes. When he was not doing movies, he would
16 appear there periodically.
17 Q. Would you see him often.
18 A. No.
19 Q. Now, at the point in time where you met the
20 Arvizos before Gavin became ill, how often would you
21 see them.
22 A. Never. As a matter of fact, from the time
23 we made that donation -- not the "donation," the
24 Christmas gifts, until the time when we were made
25 aware that he was ill. I hadn't seen them, however
26 long a period of time that was.

27 Q. And at the fund-raiser, you were present,
28 right. 2488

1 A. Yes.

2 Q. And was that on a weekend.

3 A. No, it was a weekday.

4 Q. Okay. Was it at night.

5 A. Yes.

6 Q. And you saw David Arvizo and Gavin Arvizo

7 there, correct.

8 A. Yes.

9 Q. And did you see any other Arvizo family

10 members, to your knowledge.

11 A. I think one or both of the children were

12 there. But I just can't remember. I was in and out

13 very quickly.

14 Q. And was this fund-raiser advertised; do you

15 know.

16 A. Yes.

17 Q. And where was the advertising taking place.

18 A. I was the advertisement for at least a

19 portion of it. I mentioned it on our news program,

20 that we were doing this for this family, and --

21 which I'm allowed to do. And that was my only

22 experience with any advertising concerning this

23 event.

24 Q. Do you know if any other celebrity was

25 engaged in advertising for this fund-raiser.

26 A. No, I don't.

27 Q. Okay. Did you think you were the only one

28 at that point. 2489

1 A. I had no opinion about that. I was just

2 sort of reacting to what I could do, and I really

3 didn't know. It seemed very fast. The idea was

4 borne and a couple of days later we made the

5 announcement, and I wasn't paying that much

6 attention to the other aspects of it.

7 Q. Now, The Laugh Factory is on Sunset, not far

8 from Fairfax, correct.

9 A. Correct.

10 Q. And The Laugh Factory has signs out front,

11 doesn't it.

12 A. Yes.

13 Q. And The Laugh Factory will typically

14 advertise what's going on that evening on those

15 signs, right.

16 A. Yes.

17 Q. Do you recall whether or not The Laugh

18 Factory had a big advertisement about this

19 fund-raiser for the Arvizos.
20 A. I couldn't answer that. I'm sorry.
21 Q. But typically that sign does change almost
22 on a daily basis, doesn't it.
23 A. Yes.
24 Q. And because there seemed to be events at
25 that Laugh Factory most evenings, right.
26 A. Right.
27 Q. And how long have you known Jamie Masada.
28 A. Ten years. 2490

1 Q. Was it your belief that he was really in
2 charge of putting this whole fund-raiser together.

3 A. Yes.

4 Q. And when you got there for the fund-raiser,
5 was he there.

6 MR. ZONEN: "He" being Masada.

7 MR. MESEREAU: Yes.

8 THE WITNESS: To my recollection, yes.

9 Q. BY MR. MESEREAU: Did you see other
10 celebrities at the fund-raiser.

11 A. Chris Tucker.

12 Q. Anyone else.

13 A. No, because, again, I was sort of threading
14 a very small needle to come and make my appearance
15 and go back to work to do the eleven o'clock news,
16 so I didn't stay to see who else was there.
17 But Chris was there, because I remember him
18 being engaged with Gavin.

19 Q. Now, was the fund-raiser inside The Laugh
20 Factory.

21 A. Yes.

22 Q. And as you walked into The Laugh Factory,
23 did you notice any way money was being contributed.

24 A. As I mentioned before, as you walked in,
25 they had a table set up to the right, adjacent to
26 what is the normal box office. And I remember David
27 Arvizo being -- either sitting or standing in back
28 of this table. There were several people seated. 2491

1 They were selling tickets, and people could make
2 donations over and above if they chose to.
3 I didn't pay any attention to the
4 transactions that were going there. I was just sort
5 of walking through this foyer into the main club.

6 Q. And when you walked into The Laugh Factory,
7 did you see Gavin anywhere.

8 A. Yes.

9 Q. Where did you see Gavin.

10 A. There's a balcony area upstairs where

11 comedians waiting to go on can linger, and I was up
12 there with Louise and Gavin and his father and Chris
13 Tucker. Sort of all milling around. We weren't in
14 one group. But we were all in that area.

15 Q. To your knowledge, were people being
16 introduced to Gavin.

17 A. Yes.

18 Q. And tell the jury how that happened, based
19 on what you saw. I mean, would people be led
20 upstairs to see Gavin.

21 A. Not necessarily. It was sort of very
22 unofficial and informal. When the people would
23 drift in and out of that little room, people would
24 come up and introduce themselves. They knew who he
25 was. And I really can't delineate who -- between
26 who he knew and who he didn't know, to be honest
27 with you. I wasn't paying that close attention.

28 Q. Were there photographs of Gavin at the 2492

1 fund-raiser.

2 A. I think so, yes.

3 Q. And where did you first see a photograph of
4 him.

5 A. I can't recall.

6 Q. Okay. Do you recall Kobe Bryant being at
7 that fund-raiser.

8 A. No.

9 Q. Did you ever see --

10 A. If he was there -- again, I was only there
11 at the beginning of the evening. He may have later.
12 But I didn't see him.

13 Q. Approximately how many people did you see at
14 the fund-raiser.

15 A. I saw about two-thirds of a roomful of
16 people, which was my point in the evening at the
17 beginning, whatever that turns out, 100, 150 people.

18 Q. Do you know if any requests were made for
19 cash at that fund-raiser by anybody.

20 A. I have no recollection of that.

21 Q. Do you know if people were typically paying
22 by check. Did you see this.

23 A. No, I didn't pay any attention to the money
24 transactions at all.

25 Q. Do you know if Jamie Masada was getting any
26 portion of the money that was raised.

27 A. I have no idea.

28 Q. Did you ever discuss that with him. 2493

1 A. No.

2 Q. And I think you said that you have no idea

3 how much was raised, correct.
4 A. No. The conversation after it was over was,
5 a couple of thousand dollars. We did pretty well.
6 It was a couple of thousand dollars. It was really
7 just to raise awareness about Gavin's condition. It
8 wasn't a dollar amount that we were heading for.
9 Q. Did the fund-raiser last a couple of hours.
10 A. Typically those events do. 8:00 to 10:00,
11 8:00 to 10:30.
12 Q. How did you learn a couple thousand dollars
13 was raised.
14 A. Just in conversation afterward. "How did we
15 do." Well, a couple thousand dollars. It wasn't
16 bad. It wasn't a lot of money.
17 It was very unofficial and just a
18 matter-of-fact conversation about it.
19 Q. And are there often fund-raisers at The
20 Laugh Factory --
21 A. Yes.
22 Q. -- that you're involved in.
23 A. Yes.
24 Q. Was this any different than others you've
25 seen.
26 A. No. Jamie is very good about doing various
27 things for the underprivileged or homeless during
28 the holiday, feeding groups of people. He's great 2494

1 about that. There's things like that happening all
2 the time down there.
3 Q. Do you have any knowledge how the Arvizos
4 arrived for that fund-raiser.
5 A. No.
6 Q. Or who drove them or what car they used.
7 A. No.
8 Q. Okay. Did you ever see the Arvizos after
9 that fund-raiser.
10 A. Well, let me see. I can't remember if --
11 no, I think that was after Gavin was out of the
12 hospital, after it went into remission the first
13 time, and then I didn't visit with him.
14 I wasn't -- I wasn't connected to the family
15 much for his second visits when it got really bad
16 again, so, no, I didn't.
17 Q. You did visit the hospital a number of times
18 to see Gavin, right.
19 A. Yes.
20 Q. And you did, on one of your visits, see a
21 huge gift package from Michael Jackson, right.
22 A. Yes, that was my final visit.
23 Q. Please describe what that basket looked
24 like, if you can.
25 A. It looked like a huge box that had a number

26 of gifts in it. I didn't look really closely at it.
27 But I remember Gavin beaming that it was a gift from
28 Michael. I said, "Wow, that's phenomenal." 2495

1 Q. So Gavin told you it came from Michael
2 Jackson.

3 A. Yes.

4 Q. Did you ever discuss Michael Jackson's gift
5 basket with any other member of the family.

6 A. No.

7 Q. You saw that gift basket obviously before
8 your family made a trip to Soto Street to what was
9 described as the Arvizo residence, right.

10 A. No, the Christmas gift-giving from me was
11 before Gavin even got sick.

12 Q. Okay.

13 A. That was my second encounter with him. That
14 was the Christmas after I had met them at comedy
15 camp. Gavin got sick after that point.

16 Q. Now, was it your understanding when you
17 visited Soto Street before Gavin was ill that you
18 were trying to contribute to an impoverished family.

19 A. Right.

20 Q. And at that point in time, how did you
21 determine they were impoverished.

22 A. Well, they had to be impoverished to be in
23 this comedy camp.

24 Q. Was that your only criterion.

25 A. That was my only criterion. And then after
26 I met the children. And I remember having a
27 conversation during the day when I was instructing
28 that the children had to take three or four 2496

1 different bus routes to get to the comedy camp that
2 day with their mom.

3 And so it just touched my heart, so we
4 wanted to do something. I mean, I didn't
5 investigate whether they were truly impoverished or
6 not. I just had a good feeling about them. I
7 thought they were wonderful children and wanted to
8 do this for my kids, and so that was it.

9 Q. When you first met the Arvizos, you met
10 Janet, correct.

11 A. Yes.

12 Q. And where did you meet Janet.

13 A. She came to pick them up at the end of this
14 comedy class.

15 Q. Okay. So that was at The Laugh Factory.

16 A. Yes.

17 Q. How many times have you seen Janet at The

18 Laugh Factory, if you know.
19 A. That was the only time I saw her at The
20 Laugh Factory.
21 Q. Okay. Okay. And typically would you see
22 the father with the children at The Laugh Factory,
23 when you saw them.
24 A. I only saw the family gathered once at The
25 Laugh Factory, and that was the fund-raiser. And
26 that night David and Gavin were there, and either
27 one or both of the siblings. I can't remember
28 which. 2497

1 Q. And I think you described this, but I'm not
2 too sure of the details. When you first went to the
3 Soto address --
4 A. Yes.
5 Q. -- with your children --
6 A. Yes.
7 Q. -- before you ever heard Gavin was ill --
8 A. Right.
9 Q. -- were you there to contribute.
10 A. I was there to give them these gifts that we
11 had bought to try to make their Christmas. That was
12 it.
13 Q. Did someone tell you they can't afford gifts
14 for Christmas.
15 A. No.
16 Q. You just assumed that because they were in
17 that summer program.
18 A. Yes.
19 Q. Okay. Can I ask you what you brought them.
20 A. We brought, I would say, \$300 to \$350 worth
21 of gifts. We brought an Nintendo game, and some
22 DVDs and some other games. All from Best Buy. I
23 can't remember precisely what it was.
24 Q. When you say "we," is that you and Louise
25 Palanker.
26 A. Louise Palanker, right.
27 Q. Did anyone else provide gifts, to your
28 knowledge. 2498

1 A. Not on this occasion.
2 Q. Did you ever give them any gifts after that.
3 A. No.
4 Q. Okay. So between -- the first time you gave
5 any of the Arvizos was the family visit, and you did
6 nothing by way of fund-raising until the fund-raiser
7 at The Laugh Factory.
8 A. Exactly.
9 Q. Okay. And how much time elapsed in between,

10 if you know.

11 A. I can't be sure. It seems like, as I
12 mentioned before, six months to a year. It just
13 seems like it. It's fuzzy.

14 Q. Mr. Coleman, do you know who asked you to
15 advertise the fund-raiser on the air.

16 A. Nobody asked me to do it. I've done it for
17 previous events like that. And I volunteered it
18 immediately upon learning what they wanted to do.
19 Nobody had to ask me for it.

20 Q. Okay. And after your family visited the
21 Soto address, did you maintain constant contact with
22 the Arvizos.

23 A. No. They -- they would write cards of thank
24 you, and call me at work and say they appreciated
25 it, but they -- contact sort of dropped off a little
26 bit after that. We all went our separate ways.

27 Q. Okay. Would you see them from time to time
28 at The Laugh Factory. 2499

1 A. No.

2 Q. Okay. Was it your understanding they kept
3 involved with Mr. Masada at The Laugh Factory.

4 A. Yes.

5 Q. And what was that understanding based on.

6 A. I have no specific understanding about it.

7 I know that he's sort of -- considers himself a
8 mentor to many of those children, and went out of
9 his way to maintain a contact with them, sort of
10 unofficially.

11 Q. And when did you last talk to Janet Arvizo.

12 A. The last time I spoke to her was the last
13 day I went to visit Gavin in the hospital, when she
14 had walked in late. And that was my first time I
15 had seen her visit her son in the hospital. And
16 that was it.

17 Q. Now, you say you often saw David there and
18 not Janet. And how many times did you visit Gavin
19 at the hospital.

20 A. I'm saying between three and five. I can't
21 be more specific, I'm sorry. But every time I was
22 there, David was there. And I'm sure we had
23 discussed the fact that he was not working and he
24 was staying overnight in the bed adjacent to his
25 son.

26 Q. What was your understanding that Janet was
27 working based upon. Was it just supposition.

28 A. I can't name anything specific, but I think 2500

1 I might have discussed it with my friend Louise

2 that, "Wow, she's having to work for both of them
3 during this period of time."

4 I -- it's just a feeling I had. I didn't
5 have any specific information about it. If I'm not
6 mistaken, she was working -- if my memory serves me
7 right, she was working as a waitress at the time.

8 Q. Do you recall receiving any cards from the
9 Arvizos.

10 A. I think I did. I think I received a thank
11 you note after the Christmas gifts were given.

12 Q. Do you recall what kind of words were on
13 that thank you note.

14 A. No. Nothing dramatic. Just --

15 Q. Okay.

16 MR. MESEREAU: No further questions, Your
17 Honor.

18 THE COURT: Counsel.

19

20 REDIRECT EXAMINATION

21 BY MR. ZONEN:

22 Q. Mr. Coleman, the thank you note that you
23 received, was there anything inappropriate written
24 on it.

25 A. No.

26 Q. Was there anything that caused you to sit
27 back and be concerned.

28 A. No. 2501

1 Q. All right. When you went out to the house
2 in East Los Angeles -- and I say "house." It was
3 actually a studio apartment; is that right.

4 A. Right.

5 Q. Was there anything that you saw in this
6 apartment that caused you to question whether or not
7 they really were a family in need.

8 A. No.

9 Q. All right. And you said that the room was
10 divided up. Explain how it was divided up for us.

11 A. It seemed like they partitioned off a
12 portion of it with a sheet. A sheet had been hung.
13 I don't know if it was to separate children's living
14 areas. I didn't want to take a tour of it. I
15 didn't want to make them uncomfortable with showing
16 me what they did or didn't have in their life.

17 So it seemed to me they had various areas
18 partitioned off with a sheet hanging with a cord
19 across to sort of divide a room that wasn't
20 otherwise divided. That was my initial impression.

21 Q. All right. And were there beds or anything
22 that looked like beds that you were able to see from
23 your vantage point.

24 A. I don't remember.

25 Q. All right. The fund-raiser, as Mr. Mesereau
26 refers to, the event that took place at The Laugh
27 Factory, was that the only event that you were aware
28 of that was done for Gavin. 2502

1 A. Yes, sir.

2 Q. Was that a fund-raiser or was it for blood
3 donations.

4 A. It was both. It was both. It was to bring
5 people down to The Laugh Factory, and to raise
6 awareness about him needing a specific blood type.

7 Q. They weren't taking blood at that time.

8 A. No, it was just to -- if people were
9 interested, they could contact The Laugh Factory
10 or -- I wasn't sure if we had asked them to contact
11 the specific number at Kaiser or what. But it was a
12 very unofficial -- just sort of a consciousness
13 raising announcement more than a specific thing.

14 Q. Mr. Coleman, I have one last question. Are
15 we expecting rain this weekend.

16 A. Well, you know, I should be back there
17 trying to figure that out right now.

18 Q. Thank you. I have no further questions.

19 MR. MESEREAU: No further questions, Your
20 Honor.

21 THE COURT: All right. Thank you. You may
22 step down.

23 Call your next witness.

24 MR. AUCHINCLOSS: Our next witness is Kiki
25 Solveig Fournier.

26 THE COURT: Come to the front of the
27 courtroom, please.

28 When you get to the witness stand, please 2503

1 remain standing. Face the clerk and raise your
2 right hand.

3

4 KIKI FOURNIER

5 Having been sworn, testified as follows:

6

7 THE WITNESS: I do.

8 THE CLERK: Please be seated. State and
9 spell your name for the record.

10 THE WITNESS: My name is Kiki Fournier.

11 It's K-i-k-i F-o-u-r-n-i-e-r.

12 THE CLERK: Thank you.

13

14 DIRECT EXAMINATION

15 BY MR. AUCHINCLOSS:

16 Q. Good morning, Ms. Fournier.

17 A. Good morning.
18 Q. Have you in the past worked for Michael
19 Jackson at Neverland Ranch.
20 A. Yes.
21 Q. What did you do. How were you employed at
22 Neverland Ranch.
23 A. I was a housekeeper.
24 Q. Can you tell me the time frame that you
25 worked for Mr. Jackson.
26 A. I started in September of '91, and worked
27 off and on till September 28th, 2003.
28 Q. Okay. When you say -- yeah, you have to 2504

1 speak directly into that microphone so we can hear
2 you.
3 A. Okay.
4 Q. When you say "off and on," can you give me a
5 little more specific description of what that means.
6 A. Well, I worked a couple years, and then I
7 would take some time off. I had a child back in
8 1993 also, so -- and then I would take a couple of
9 years off, and then I would go back for a couple of
10 years.
11 Q. And you said you left ultimately in
12 September of 2003.
13 A. Yes.
14 Q. Did you leave of your own accord.
15 A. Yes.
16 Q. At any time have you ever been terminated as
17 an employee from Neverland Ranch.
18 A. No.
19 Q. Please describe your duties as a housekeeper
20 at Neverland.
21 A. Cleaning the main residence, cleaning the
22 guest quarters, cleaning the theater.
23 Q. Would you have interaction with guests of
24 the ranch.
25 A. Yes.
26 Q. And would you do anything other than just
27 cleaning.
28 A. Serve food sometimes. 2505

1 Q. Did you have a particular shift that you
2 worked.
3 A. Well, it varied. It depended on who wanted
4 to work during the day -- excuse me -- and who
5 wanted to work at night. So I would sometimes more
6 frequently work the nights.
7 Q. And describe for me what time frame we're
8 talking about. What does the night shift consist

9 of.

10 A. Basically it was, you know, catching up on
11 laundry and, you know, taking care of the guests,
12 serving them dinner. Getting them anything that
13 they needed.

14 Q. But as far as the time frame, from what
15 hours. What would your hours be for the night
16 shift.

17 A. It depended. It just depended on if there
18 was guests or if anybody was at the house.

19 Q. So you would finish up work at a different
20 hour depending on the night.

21 A. Depending on what the demands were during
22 the day.

23 Q. What time would you normally report for work
24 as a night-shift housekeeper.

25 A. It all varied, but usually we tried to make
26 it so that who came in later would work later.

27 Q. Did you ask not to have to testify in this
28 case. 2506

1 A. Yes.

2 Q. Okay. And why is that.

3 A. I don't want --

4 MR. MESEREAU: Objection; relevance.

5 MR. AUCHINCLOSS: Goes to her credibility,

6 Your Honor.

7 THE COURT: Overruled.

8 You may answer.

9 THE WITNESS: I can answer.

10 Q. BY MR. AUCHINCLOSS: Yes, you can answer.

11 A. I don't want to have anything to do with
12 this. I just don't like being the center of
13 attention either.

14 Q. All right. As an employee of Neverland, who
15 was in charge at Neverland Ranch.

16 A. Mr. Jackson.

17 Q. Were there certain administrators who were
18 in charge of various functions, various functions
19 concerning the operations at the ranch.

20 A. Yes.

21 Q. Who were the main administrators.

22 A. Joe Marcus was the ranch manager when I was
23 there. And Jesus Salas was the house manager. And
24 Violet Silva is the security, head of security.

25 Q. Okay. Were those three managers working
26 during the time period of 2002 to 2003.

27 A. Yes.

28 Q. And did they have those assignments as 2507

1 managers during that period of time.
2 A. Yes.
3 Q. What was -- do you know what Joe Marcus's
4 job was as ranch manager.
5 A. I -- oversee all the departments.
6 Q. Okay. So would he oversee Violet Silva.
7 A. Yes.
8 Q. And Jesus Salas, who was the house manager.
9 A. Yes.
10 Q. Did you observe his relationship with the
11 defendant, Mr. Jackson.
12 A. Yes.
13 Q. Could you characterize that for me, please.
14 MR. MESEREAU: Objection; vague.
15 MR. AUCHINCLOSS: I can be more specific.
16 THE COURT: All right.
17 Q. BY MR. AUCHINCLOSS: You said you observed
18 the relationship with Mr. Jackson. How often would
19 you see them interacting in the course of your
20 duties as a housekeeper.
21 A. Well, not that often. I wasn't familiar
22 when they were on the phone or when they would meet
23 in person, but I do know that they would -- they
24 would meet and they would speak to each other.
25 Q. Okay. And were you present during any of
26 those conversations when they were interacting.
27 A. I probably was, but I don't really remember.
28 Q. Okay. Do you know if Mr. Jackson would give 2508

1 Mr. Marcus directives.
2 A. Yes.
3 Q. Okay. Did you yourself have interaction
4 with Mr. Jackson.
5 A. Yes.
6 Q. How often.
7 A. It depended on when he was there.
8 Q. Okay. How often -- can you characterize how
9 often he was there.
10 A. As a percentagewise.
11 Q. Yeah. And let's focus on the time period
12 between 2002 through the time that you left in 2003.
13 A. He was there a lot in the beginning of 2003.
14 Q. Okay. So my question was -- where we
15 started here was, did you interact with Mr. Jackson
16 personally.
17 A. Yes.
18 Q. In what fashion. How would that come about.
19 A. I would serve him his foods. I would clean
20 his house. I would answer the phones.
21 Q. And what was the level of service that was
22 provided to Mr. Jackson at Neverland Ranch by his
23 employees.

24 A. We always tried to provide him with the best
25 of service.
26 Q. If Mr. Jackson wanted something a certain
27 way, would there be any hesitation to tell you or
28 let you know exactly what he wanted. 2509

1 MR. MESEREAU: Objection; leading.
2 THE COURT: Overruled.
3 You may answer. Do you want the question
4 read back.
5 THE WITNESS: Yes, please.
6 THE COURT: Okay.
7 (Record read.)
8 THE WITNESS: He wouldn't always tell us
9 directly. He might tell Joe or he might tell Jesus,
10 and sometimes he would tell us.
11 Q. BY MR. AUCHINCLOSS: But it would be
12 communicated to you.
13 A. Yes.
14 Q. Have you ever seen the defendant, Mr.
15 Jackson, fire anybody, been present.
16 MR. MESEREAU: Objection. Relevance; 352.
17 MR. AUCHINCLOSS: Your Honor, it's offered
18 to show the defendant's level of influence over his
19 own employees.
20 THE COURT: All right. I'll limit it to a
21 "yes" or "no" answer.
22 MR. AUCHINCLOSS: All right.
23 Q. Did you ever see him fire any of his
24 employees.
25 A. I never saw him personally fire somebody.
26 Q. Okay. Were his employees generally aware
27 that Mr. Jackson could fire them.
28 MR. MESEREAU: Objection. Hearsay; 2510

1 speculation; vague; relevance; no foundation.
2 MR. AUCHINCLOSS: Mr. Jackson was the
3 employer of these people.
4 THE COURT: Well, you may have a couple more
5 reasons.
6 (Laughter.)
7 THE COURT: I'll sustain the hearsay
8 objection.
9 Q. BY MR. AUCHINCLOSS: Were you aware that you
10 could be terminated at any given moment.
11 A. Yes.
12 Q. Were you aware of anybody that had been
13 fired -- was anybody fired at Neverland while you
14 were there.
15 MR. MESEREAU: Objection. Relevance; 352;

16 foundation.
17 THE COURT: Overruled.
18 You may answer. "Yes" or "no."
19 THE WITNESS: Sorry, what was the question
20 again.
21 Q. BY MR. AUCHINCLOSS: Were you aware of
22 anybody who ever got fired at Neverland.
23 A. Yes.
24 Q. Do you know who fired them. Who was the
25 person responsible for their termination.
26 MR. MESEREAU: Objection; foundation.
27 THE COURT: Just answer that question "yes"
28 or "no." 2511

1 Which answers your objection.
2 THE WITNESS: Yes, I was aware that he had
3 fired people, Mr. Jackson. And --
4 THE COURT: Just a moment. I just wanted a
5 "yes" or "no" answer to that.
6 THE WITNESS: I'm sorry.
7 THE COURT: So the answer is "Yes." Next
8 question.
9 Q. BY MR. AUCHINCLOSS: When you were around
10 Mr. Jackson in his presence, can you characterize
11 his level of attention to the details of the service
12 that -- the services that were provided to him.
13 MR. MESEREAU: Objection; vague.
14 MR. AUCHINCLOSS: I think she's qualified to
15 answer that question.
16 THE COURT: I'm going to allow you to answer.
17 Would you like it reread.
18 THE WITNESS: Yes, please.
19 THE COURT: Okay.
20 (Record read.)
21 THE WITNESS: Mr. Jackson is a very
22 detail-oriented person, so he did like to have his
23 service the way he wanted it.
24 Q. BY MR. AUCHINCLOSS: Did you ever observe
25 Mr. Jackson to have overnight visitors at the ranch.
26 A. Yes.
27 Q. How often would that be provided. How often
28 would he have overnight guests. 2512

1 MR. MESEREAU: Objection. Vague and
2 foundation.
3 MR. AUCHINCLOSS: I'll be more specific.
4 Q. During the period of 2002 to 2003.
5 A. Yes. He had overnight guests.
6 Q. How often would he have overnight guests
7 during that time frame.

8 A. I can't say exactly dates, but there was a
9 lot of guests during that time. There was people
10 there.
11 Q. Would you provide services to those guests.
12 A. Yes.
13 Q. And can you characterize the level of
14 service that you provided the guests of Mr. Jackson.
15 A. Again, we always tried to provide the best
16 service, so we always tried to be detail oriented in
17 doing our work.
18 Q. Was Frank Tyson a guest at Neverland Ranch
19 during that time frame.
20 A. I believe so, yes.
21 Q. Who is Frank -- is Frank Tyson -- well, let
22 me back up.
23 Were you around Mr. Jackson when he was in
24 the presence of Mr. Tyson.
25 A. Yes.
26 Q. And when was the first time that you're --
27 you became aware that Mr. Tyson was a guest at
28 Neverland Ranch. 2513

1 A. That would have been when he was rather
2 young. Sometime around, I would say, 1991. I would
3 guess, but I can't say for 100 percent sure. But he
4 was still young.
5 Q. And can you characterize the nature of the
6 relationship between Mr. Tyson and Mr. Jackson,
7 based upon your personal observations.
8 MR. MESEREAU: Objection; vague.
9 THE COURT: Overruled.
10 You may answer.
11 THE WITNESS: They were close friends, it
12 would appear.
13 Q. BY MR. AUCHINCLOSS: Do you know if
14 Mr. Tyson ever worked for Mr. Jackson.
15 A. Yes, I believe he did.
16 Q. Do you know what his assignment was, or his
17 title.
18 A. I remember hearing something about an
19 assistant, or something like that. But I never knew
20 for sure what his title was.
21 Q. Why do you say that they had a close
22 relationship. What do you base that upon.
23 A. They were just together when they were at
24 the ranch and they would talk a lot. And there was
25 a lot of communication between them it seemed.
26 Q. Okay. And how often was Mr. Tyson at the
27 ranch, if you could characterize, during that period
28 of -- let's go back ten years to when you first 2514

1 started.
2 MR. MESEREAU: Objection; vague.
3 THE COURT: Overruled.
4 Go ahead. You may answer.
5 THE WITNESS: How often was he there.
6 Q. BY MR. AUCHINCLOSS: Yeah. You worked for
7 Mr. Jackson for over ten years, correct.
8 A. Off and on, yes.
9 Q. And you just told us that you were aware of
10 Mr. Tyson visiting the ranch sometime around the
11 beginning of your employment there, correct.
12 A. Yes.
13 Q. So over that time span, can you give us an
14 idea of how much time these two people would spend
15 together at Neverland Ranch that you saw.
16 MR. MESEREAU: Objection.
17 THE COURT: Just --
18 MR. MESEREAU: I jumped the gun. Excuse me,
19 Your Honor. Objection; foundation.
20 THE COURT: Sustained.
21 Q. BY MR. AUCHINCLOSS: Did you see Frank Tyson
22 and Michael Jackson together at Neverland Ranch.
23 A. Yes.
24 Q. Over that ten-year period, which you
25 previously stated that Mr. Tyson was -- began and
26 was a guest of the ranch when you left, how often
27 did you see them together.
28 A. When Frank was at the ranch, they would be 2515

1 together often.
2 Q. And how often was he a visitor at the ranch.
3 A. He could not be there for six months and
4 then he could show up for a month, or -- you know,
5 as an example. And -- or he could not be there for
6 weeks, and then just come for a couple of days,
7 and --
8 Q. Okay. Now, in the period of 2000 -- early
9 2003, did Mr. Tyson visit the ranch.
10 A. Yes, I believe he did.
11 Q. Do you know if that was one of these
12 month-long periods, or a couple of day periods, or
13 something in between.
14 A. I think he stayed for a while.
15 THE COURT: Counsel, we'll take our break.
16 MR. AUCHINCLOSS: All right. Thank you.
17 (Recess taken.)
18 --o0o--
19
20
21
22

23
24
25
26
27
28 2516

1 REPORTER'S CERTIFICATE

2

3

4 THE PEOPLE OF THE STATE)

5 OF CALIFORNIA,)

6 Plaintiff,)

7 -vs-) No. 1133603

8 MICHAEL JOE JACKSON,)

9 Defendant.)

10

11

12 I, MICHELE MATTSON McNEIL, RPR, CRR,

13 CSR #3304, Official Court Reporter, do hereby

14 certify:

15 That the foregoing pages 2459 through 2516

16 contain a true and correct transcript of the

17 proceedings had in the within and above-entitled

18 matter as by me taken down in shorthand writing at

19 said proceedings on March 17, 2005, and thereafter

20 reduced to typewriting by computer-aided

21 transcription under my direction.

22 DATED: Santa Maria, California,

23 March 17, 2005.

24

25

26

27 MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

28 2517

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF SANTA BARBARA

3 SANTA MARIA BRANCH; COOK STREET DIVISION

4 DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

5

6

7 THE PEOPLE OF THE STATE OF)

8 CALIFORNIA,)

9 Plaintiff,)

10 -vs-) No. 1133603

11 MICHAEL JOE JACKSON,)

12 Defendant.)

13

14

15
16
17 REPORTER'S TRANSCRIPT OF PROCEEDINGS
18
19 THURSDAY, MARCH 17, 2005
20
21 8:40 A.M.
22
23 (PAGES 2518 THROUGH 2708)
24
25
26
27 REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304
28 BY: Official Court Reporter 2518

1 APPEARANCES OF COUNSEL:

2
3
4 For Plaintiff: THOMAS W. SNEDDON, JR.,
5 District Attorney -and-
6 RONALD J. ZONEN, Sr. Deputy District Attorney
7 -and- GORDON AUCHINCLOSS,
8 Sr. Deputy District Attorney 1112 Santa Barbara Street
9 Santa Barbara, California 93101
10
11 For Defendant: COLLINS, MESEREAU, REDDOCK & YU BY: THOMAS A.
12 MESEREAU, JR., ESQ.
13 -and- SUSAN C. YU, ESQ.
14 1875 Century Park East, Suite 700 Los Angeles, California 90067
15 -and-
16 SANGER & SWYSEN
17 BY: ROBERT M. SANGER, ESQ. 233 East Carrillo Street, Suite C
18 Santa Barbara, California 93101
19 -and-
20 OXMAN and JAROSCAK BY: R. BRIAN OXMAN, ESQ.
21 14126 East Rosecrans Boulevard Santa Fe Springs, California 90670
22
23
24
25
26
27
28 2519

1 I N D E X

2
3 Note: Mr. Sneddon is listed as "SN" on index.

4 Mr. Zonen is listed as "Z" on index. Mr. Auchincloss is listed as "A" on index.

5 Mr. Mesereau is listed as "M" on index. Ms. Yu is listed as "Y" on index.

6 Mr. Sanger is listed as "SA" on index. Mr. Oxman is listed as "O" on index.

7

8

9 PLAINTIFF'S WITNESSES DIRECT CROSS REDIRECT RECROSS

10

11 FOURNIER, Kiki 2552-M 2632-A

12 WOLFF, Ruby 2647-SN 2650-M

13 O'GRADY, Shawn 2661-SN 2665-M

14 ELLIS, Jeffery 2666-SN 2670-M

15 ABEL, Conn 2672-SN 2695-M

16

17

18

19

20

21

22

23

24

25

26

27

28 2520

1 E X H I B I T S

2 FOR IN

3 PLAINTIFF'S NO. DESCRIPTION I.D. EVID.

4 105 Photograph 2683 2684

5 106 Photograph 2683 2684

6 581 Bag containing books 2676 2678

7 582 Brown bag containing book 2676 2680

8 583 Book 2676 2681

9 584 Plastic bag containing brown

10 bag 2682

11 585 Clear plastic bag containing white binder 2682

12 586 Clear plastic bag containing

13 brown bag 2682

14 587 Clear plastic bag containing white binder 2682

15 588 Brown bag containing book 2662 2664

16 589 Brown bag containing book 2668 2669

17 710 Photograph of front cover of

18 No. 589 2668 2669

19 711 Photograph of front cover of No. 588 2663 2664

20 712 Brown bag containing an

21 envelope and card 2663 2664

22 713 Photograph 2682 2688

23 714 Brown evidence bag 2682

24 715 Photograph 2682 2688
25 716 Brown evidence bag 2682
26 717 Large plastic case 2690 2694
27
28 2521

1 THE COURT: Go ahead.
2 MR. AUCHINCLOSS: Thank you.
3 Q. Miss Fournier, do you know an individual by
4 the name of Vinnie Amen.
5 BAILIFF CORTEZ: Get closer.
6 Q. BY MR. AUCHINCLOSS: Vinnie Amen, do you
7 know that name.
8 A. Yes.
9 Q. How do you know that name.
10 A. He worked out at the ranch with Frank.
11 Q. All right. Do you know what time period
12 that was.
13 A. It was during the beginning of 2003.
14 Q. You say he worked with Frank. Do you mean
15 Frank Tyson.
16 A. Yes.
17 Q. And do you know -- what do you mean by
18 "worked with Frank Tyson".
19 A. I don't know what his title was. But I know
20 that he worked with Frank.
21 Q. And was Frank working at that time.
22 A. Yes, I believe so.
23 Q. And what was Frank doing at that time, as
24 far as you know.
25 A. What Frank did.
26 Q. I mean, who was Frank working for.
27 A. Mr. Jackson.
28 Q. Do you know an individual by the name of 2522

1 Dieter Weizner.
2 A. Yes.
3 Q. How do you know that name.
4 A. He also worked for Mr. Jackson.
5 Q. Did he ever visit the ranch.
6 A. Yes.
7 Q. During that same time frame, end of 2002,
8 the beginning of 2003, did Mr. Weizner visit there,
9 the ranch.
10 A. I believe so, yes.
11 Q. Do you know what his title was or what he
12 did for Mr. Jackson.
13 A. I think he was a business associate of some
14 kind.
15 Q. Do you know how often -- can you give me an

16 example of the frequency of visits Mr. Weizner would
17 have in relationship to that time frame period, and
18 I want to focus -- in these next few questions, I'm
19 going to focus on the time frame between the end of
20 2002 and the first three months, say, March, April
21 of 2003.

22 A. Okay.

23 Q. During that time frame, can you give me an
24 idea of the frequency of visits Mr. Weizner would
25 pay upon Mr. Jackson at the ranch.

26 A. If my memory serves me correct, I would say
27 that he was there quite a bit.

28 Q. All right. Ronald Konitzer. Do you know 2523

1 that name.

2 A. Yes.

3 Q. And how do you know that name.

4 A. He was also, as far as I knew, a business
5 associate of Mr. Jackson's.

6 Q. During that same time frame, frequency of
7 visits at the ranch.

8 A. Not as much as Dieter.

9 Q. Okay. And Frederic -- well, Marc Schaffel,
10 Schaffel --

11 A. Yes.

12 Q. -- do you know that name.

13 A. Yes.

14 Q. And how do you know that name.

15 A. He was a guest at the ranch --

16 MR. MESEREAU: Objection; foundation.

17 THE COURT: Overruled.

18 You may answer.

19 Q. BY MR. AUCHINCLOSS: You may answer.

20 A. He was a guest at the ranch. And he was
21 also -- I remember working on some sort of a
22 birthday party, or something like that, for Mr.
23 Jackson.

24 Q. He was working for Mr. Jackson in some
25 capacity for a birthday party.

26 A. Yeah, there was some big party at the ranch
27 around Mr. Jackson's birthday in August. And --

28 Q. August of which year. 2524

1 A. 2003. So I know that he worked for him
2 then, too, as far as I knew.

3 Q. Do you know what his title was or what his
4 duties were with regards to this party.

5 MR. MESEREAU: Objection. Vague, and
6 foundation, and assumes facts not in evidence.

7 THE COURT: The question should be answered

8 only "yes" or "no." I'll have it reread to you.
9 (Record read.)
10 THE COURT: "Yes" or "no."
11 THE WITNESS: I think so. So, yes.
12 THE COURT: She said, "I think so." That's
13 acceptable, too.
14 THE WITNESS: Sorry.
15 THE COURT: But the reason I sustained that
16 is that that's part of the foundation. I'm really
17 sustaining a foundation objection ultimately.
18 MR. AUCHINCLOSS: All right. Very well.
19 Thank you.
20 Q. You said, "Yes." What do you base that
21 upon, that answer upon.
22 A. Because I know that he was coordinating
23 somehow on handing out checks for this birthday
24 party that had gone on.
25 Q. Were you a witness to that.
26 A. Yes.
27 Q. And were you a witness to Mr. Schaffel
28 giving any orders or instructions concerning this 2525

1 particular party.
2 MR. MESEREAU: Objection; leading.
3 MR. AUCHINCLOSS: Foundational.
4 THE COURT: Overruled.
5 You may answer.
6 THE WITNESS: Yes.
7 Q. BY MR. AUCHINCLOSS: All right. And did --
8 were you informed -- did you ever have any
9 interaction with Mr. Schaffel --
10 A. Yes.
11 Q. -- concerning this party.
12 A. Well, not concerning the party. I mean, I
13 was there with him. He gave me a ride on a golf
14 cart one time when he was handing out checks.
15 Actually, it was right after the party. The day
16 after, I believe it was.
17 Q. All right. Were you there when this party
18 occurred.
19 A. Yes.
20 Q. Can you tell me about it, the type -- what
21 type of party was it.
22 A. Um --
23 MR. MESEREAU: Objection; relevance.
24 THE COURT: Overruled.
25 THE WITNESS: There was a deejay there. And
26 they had set up -- there was tents on the property,
27 too, with artwork in them. And it was just a big
28 birthday party. I mean, there was also cake there 2526

1 for Mr. Jackson. And he had some guests there,
2 and --
3 Q. BY MR. AUCHINCLOSS: Do you know what the
4 artwork had to do with the party.
5 A. I'm not exactly sure.
6 Q. Do you know if -- if this party had any --
7 if it cost money to attend this party. Do you know
8 that. Yes or no.
9 A. Yes, I think it did.
10 Q. And can you characterize the party in terms
11 of its scale. Was it big. Maybe why don't we begin
12 with about how many people attended this party, if
13 you can estimate.
14 A. 800, a thousand. I don't know.
15 Q. All right.
16 A. I can't say for sure.
17 Q. Would children be among the overnight guests
18 at Neverland while you were working there.
19 A. Yes.
20 Q. How often.
21 MR. MESEREAU: Objection; foundation.
22 THE COURT: Sustained.
23 Q. BY MR. AUCHINCLOSS: And based upon your own
24 personal experience, in other words, what you
25 observed, can you characterize how often children
26 would be overnight guests at Neverland during your
27 employment there.
28 A. Let me just answer by explaining that there 2527

1 would be times when there would be nobody there, and
2 then when Mr. Jackson would come home he would have
3 guests with him, so they could stay a couple of
4 days, weeks, or maybe even a month.
5 Q. Okay. Let me refine that a little bit.
6 During the time that you worked at Neverland
7 and during the time that Mr. Jackson was on the
8 property, how often would children be overnight
9 guests at Neverland.
10 MR. MESEREAU: Objection. Vague; assumes
11 facts not in evidence.
12 THE COURT: Sustained.
13 MR. AUCHINCLOSS: Under both grounds or --
14 THE COURT: The last ground.
15 MR. AUCHINCLOSS: Okay.
16 THE COURT: Assumes facts not in evidence.
17 Q. BY MR. AUCHINCLOSS: Were children ever
18 overnight guests at Neverland.
19 A. Yes.
20 Q. All right. I'm going to repeat my last
21 question. How often were they guests at Neverland
22 when Mr. Jackson was on the property.

23 MR. MESEREAU: Objection; foundation.
24 THE COURT: Overruled.
25 Q. BY MR. AUCHINCLOSS: You may answer.
26 A. I would say quite a bit.
27 Q. Would the children who were spending the
28 night at Neverland have their parents with them when 2528

1 they'd visit or spend the night.
2 MR. MESEREAU: Objection. Vague, and
3 foundation.
4 THE COURT: Sustained on foundation.
5 Q. Were you a witness as to whether or not
6 these children came with their parents or were
7 without their parents.
8 A. Sometimes they came with their parents
9 and --
10 Q. That's a yes-or-no question first. We have
11 to do this in order.
12 A. Yes.
13 Q. You were a witness, true.
14 A. Yes.
15 Q. Do you have personal knowledge as to whether
16 or not the children's parents were with them when
17 they visited Neverland.
18 MR. MESEREAU: Vague as to time.
19 Q. BY MR. AUCHINCLOSS: During your period of
20 employment.
21 A. Yes.
22 Q. You do, okay.
23 MR. MESEREAU: Same objection, Your Honor.
24 THE COURT: Overruled.
25 Q. BY MR. AUCHINCLOSS: And going back to my
26 last question, can you tell us how often children
27 would be overnight guests at Neverland without their
28 parents. 2529

1 MR. MESEREAU: Objection. Foundation and
2 vague.
3 THE COURT: Overruled.
4 You may answer.
5 THE WITNESS: They were there quite a bit
6 without their parents.
7 Q. BY MR. AUCHINCLOSS: How are children
8 treated at Neverland.
9 MR. MESEREAU: Objection; vague.
10 THE COURT: Overruled.
11 THE WITNESS: Like any child wants to be
12 treated.
13 Q. BY MR. AUCHINCLOSS: And what do you mean by
14 that.

15 A. Well, like you could watch movies. You
16 could watch videos, play video games. Eat whatever
17 you want to eat. Candy. Stay up as late as you
18 want. Ride amusement rides, so --
19 Q. Okay. Are there rules.
20 A. Not really.
21 Q. Is there discipline.
22 MR. MESEREAU: Objection. Vague, and
23 foundation.
24 Q. BY MR. AUCHINCLOSS: Are the children
25 disciplined, is the question.
26 MR. MESEREAU: Same objection.
27 THE COURT: Overruled.
28 You may answer. 2530

1 THE WITNESS: Well, I mean, there's the
2 employees who would frequently interfere with their
3 fun sometimes and tell them it was enough. But, I
4 mean, as far as parents go, no.
5 Q. BY MR. AUCHINCLOSS: Would Mr. Jackson,
6 based upon your personal experience, discipline the
7 children.
8 A. Sometimes, yes.
9 Q. Okay. Tell me about it.
10 A. Like if they got too rowdy at the dinner
11 table, and sometimes I want to say practically have
12 a food fight or something, but he would tell them to
13 behave, kind of stuff like that, and tell them --
14 you know, if they would get into candy-throwing
15 fights in the theater, and, you know, he was upset
16 about that, and he would, you know, tell them to
17 stop it, or, you know.
18 Q. Did he himself ever engage in that type of
19 conduct.
20 A. I never saw that in the theater with Mr.
21 Jackson.
22 Q. All right. In terms of the limits that Mr.
23 Jackson would set upon these children --
24 MR. MESEREAU: Objection. Foundation;
25 vague; relevance.
26 MR. AUCHINCLOSS: I haven't finished the
27 question.
28 MR. MESEREAU: Okay. 2531

1 THE COURT: Overruled.
2 Q. BY MR. AUCHINCLOSS: All right. The
3 question is, in terms of -- you've talked about that
4 there were times when Mr. Jackson would say
5 "enough."
6 A. Uh-huh.

7 Q. Can you characterize, in terms of the whole
8 latitude Mr. Jackson would give these children in
9 terms of their behavior.
10 MR. MESEREAU: Vague as to time.
11 Q. BY MR. AUCHINCLOSS: During your period of
12 employment. Do you understand the question.
13 A. Yes.
14 Q. Okay. Can you characterize that.
15 THE COURT: Well, there's -- I'll overrule
16 the objection. But what's happened is you've kind
17 of spread the question out. So would you rephrase
18 it.
19 MR. AUCHINCLOSS: Yes.
20 Q. My question is, we've -- you've talked about
21 Mr. Jackson stepping in when he felt that things
22 have gone too far with the children's behavior in
23 terms of discipline, this type of thing.
24 My question is, can you characterize the
25 type of -- the degree of latitude that he would give
26 children who were guests on the ranch in terms of
27 when he would step in, when discipline, when
28 authority would be provided for these children. 2532

1 MR. MESEREAU: Objection. Compound and
2 vague.
3 THE COURT: It's compound. Sustained.
4 Q. BY MR. AUCHINCLOSS: I'll strike "authority"
5 from the question. So, same question. When would
6 he step in and discipline these children, in terms
7 of scope. How far would he let them go.
8 MR. MESEREAU: Same objection. Compound --
9 THE COURT: Overruled.
10 THE WITNESS: Sometimes they would get
11 pretty rowdy. And he would -- more frequently than
12 not, they would be much more rowdy, you know, and he
13 did let them have, you know, a free hand, so to say,
14 that they could get pretty rambunctious sometimes.
15 Q. BY MR. AUCHINCLOSS: Would children have
16 extended stay -- would some of these overnight
17 children have extended stays at Neverland.
18 A. Yes.
19 Q. And what do you mean by -- or what do you
20 consider to be an extended stay.
21 A. During the school year, or time when school
22 was on, a couple of weeks.
23 Q. What are the sleeping arrangements for the
24 children. And I'll be specific. Let's talk about
25 in the years -- let's go back to the year -- the
26 time frame of 2002, 2003.
27 A. The guests that were there at that time.
28 Q. Yes. The children guests. 2533

1 A. They had -- the Arvizo children, they had
2 their own units, but --
3 Q. I'm speaking generally now. And I will ask
4 you about the Arvizos in just a moment. But
5 generally with the children, what are the sleeping
6 arrangements for the children who spend the night at
7 Neverland.
8 A. Well, usually they had get assigned
9 someplace to asleep, but a lot of times they would
10 stay with Mr. Jackson.
11 Q. Okay. Now, as far as the assigning of
12 someplace to sleep, tell me about that. How does
13 that work.
14 A. Well, typically when the guests came, they
15 would get their own room. And the children would --
16 you know, it depends on if their parents were there
17 or not, and they would get their room.
18 Q. So they'd get a room assigned to them.
19 A. Yes.
20 Q. Would the children who were assigned to a
21 given room always end up sleeping in that room.
22 A. No.
23 Q. What do you base that upon.
24 A. Well, the beds weren't slept in when we went
25 to go clean the room, so nobody had been there to
26 stay the night, or appeared to be that way.
27 Q. All right. As far as these extended guests
28 who were children at the ranch, Mr. Jackson's 2534

1 guests, did you ever notice a behavioral change in
2 these children during the time they were at the
3 ranch.
4 MR. MESEREAU: Objection. Vague;
5 foundation; leading.
6 MR. AUCHINCLOSS: This is a foundational
7 question.
8 THE COURT: Foundation; sustained.
9 Q. BY MR. AUCHINCLOSS: When you were at the
10 ranch, did you spend time serving the children who
11 were guests there.
12 A. Yes.
13 Q. Did you spend time interacting with these
14 children.
15 A. Yes.
16 Q. Did you have an opportunity to -- to observe
17 their behavior.
18 A. Yes.
19 Q. Did you talk to the children.
20 A. Yes.
21 Q. Did you see them playing with Mr. Jackson.

22 A. Yes.
23 Q. All right. And based upon everything you
24 observed during those -- under those circumstances,
25 where you were interacting and watching these
26 children, were you able to determine whether or not
27 their behavior changed during that time that they
28 were at the ranch. 2535

1 MR. MESEREAU: Objection. Vague;
2 foundation; opinion.

3 MR. AUCHINCLOSS: It's a proper --

4 THE COURT: The objection is overruled.

5 You may answer.

6 Q. BY MR. AUCHINCLOSS: You may answer the
7 question.

8 A. Yes, and some -- their behavior did change.

9 It seems as if the more free rein they got to do
10 what -- you know, to play, they became very, very
11 wild and in some ways destructive.

12 Q. Was this uncommon.

13 A. No.

14 Q. Did you see this behavior change -- you
15 mentioned Gavin and Star Arvizo.

16 A. Yes.

17 Q. Do you know Gavin and Star Arvizo.

18 A. Yes.

19 Q. How do you know them.

20 A. When I was working at Neverland.

21 Q. Okay. Were they guests of Mr. Jackson.

22 A. Yes.

23 Q. Did you observe that behavior change in
24 Gavin and Star while they were at Neverland.

25 A. Yes.

26 Q. Tell me about it.

27 A. Gavin was always really polite with me, and
28 it just -- I was surprised when I went to go clean 2536

1 his room sometimes that he -- he shared with his
2 brother Star, that it was just -- I mean, it was a
3 mess. It was a mess. And just -- for whatever
4 reason, it was a mess.

5 Q. Okay. And was -- was this something that
6 changed during the time that they were at Neverland.

7 A. Yes.

8 Q. In other words, their room, the room that
9 you had to clean up.

10 A. Yes, because in the beginning it wasn't like
11 that.

12 Q. Did some of these children return as guests
13 on more than one occasion.

14 A. Yes.
15 Q. During your employment -- going back to the
16 big time frame, during your employment at Neverland,
17 did you ever observe Mr. Jackson to form a
18 special -- any especially close relationships with
19 these children.
20 A. Yes.
21 Q. Can you characterize whether or not he
22 focused his attention on these children that he
23 formed these relationships with to the exclusion of
24 other children present.
25 MR. MESEREAU: Objection. Vague; leading;
26 foundation.
27 THE COURT: Overruled.
28 You may answer. Do you want the question 2537

1 read back.
2 THE WITNESS: Yes, please.
3 MR. AUCHINCLOSS: I can simplify the
4 question, I think, Your Honor. I'll rephrase it.
5 Q. Did he pick some kids over other kids to
6 spend his time with and focus his attentions on.
7 A. Yes.
8 Q. Do you remember any of their names.
9 A. Um --
10 MR. MESEREAU: Objection. Vague as to time.
11 Q. BY MR. AUCHINCLOSS: Over your ten-year
12 period.
13 A. Yes, I --
14 MR. MESEREAU: Relevance; foundation.
15 THE COURT: Overruled.
16 You may answer.
17 THE WITNESS: He had -- some of his buddies
18 were like Brett Barnes. Little Michael.
19 MR. MESEREAU: I'm going to object based on
20 the Court's ruling on 1108.
21 MR. AUCHINCLOSS: I can go to sidebar on
22 this, Your Honor. We're not going any further than
23 this.
24 THE COURT: I'll hold you to that.
25 MR. AUCHINCLOSS: All right.
26 Q. Okay. Go ahead.
27 A. Little Michael. His name was Omar. Frank
28 Cascio. Aldo Cascio. I think Dominick. I get the 2538

1 two confused.
2 Q. Is Dominick a Cascio as well.
3 A. Yes.
4 Q. Is that one of Frank's brothers.
5 A. Yes.

6 Q. Is Aldo one of Frank's brothers.
7 A. Yes.
8 Q. Any other names.
9 A. Like Gavin was another person that he really
10 took in. Macaulay Culkin. I can't really think of
11 anybody else right now.
12 Q. Do you know an individual by the name of
13 Jimmy Safechuck.
14 A. Yes.
15 Q. Was he one of them.
16 A. Yes.
17 Q. How about Jordie Chandler.
18 A. Yes.
19 MR. MESEREAU: Your Honor, I'm going to
20 object. The Court's ruling on 1108.
21 THE COURT: Sustained.
22 MR. MESEREAU: Move to strike.
23 THE COURT: Stricken.
24 Q. BY MR. AUCHINCLOSS: How about a child named
25 Elijah.
26 A. Yes.
27 MR. MESEREAU: I'd like to make a motion,
28 Your Honor. 2539

1 THE COURT: We'll take it up later.
2 MR. MESEREAU: Okay.
3 Q. BY MR. AUCHINCLOSS: And were there any boys
4 from Los Olivos, local boys, who he formed a special
5 bond with.
6 A. Yes.
7 Q. All right.
8 A. Not quite as much as the other children,
9 though. I mean, it just seemed like they weren't as
10 close.
11 Q. All right. Did these individuals that
12 you've named share anything in common.
13 MR. MESEREAU: Objection. Vague;
14 foundation.
15 THE COURT: Sustained.
16 Q. BY MR. AUCHINCLOSS: Did -- these
17 individuals that you named, were they of a similar
18 age.
19 MR. MESEREAU: Objection. 1108; vague; and
20 leading.
21 MR. AUCHINCLOSS: I can go through them and
22 ask what the ages of each one were, if you'd like,
23 approximately.
24 THE COURT: The objection is sustained.
25 MR. AUCHINCLOSS: Okay. We'll do this
26 serially.
27 Q. Can you tell me -- during the time that Mr.
28 Jackson had this special relationship with Mr. Jimmy 2540

1 Safechuck, can you tell me about what Jimmy
2 Safechuck's age was.
3 MR. MESEREAU: Leading; compound; violates
4 the Court's ruling on 1108. I'd like to make a
5 motion.
6 THE COURT: Overruled.
7 MR. MESEREAU: And misstates the evidence.
8 THE COURT: It's overruled, too. The first
9 question has to be whether or not she knows the age.
10 MR. AUCHINCLOSS: Okay.
11 THE COURT: If that's -- that's the first
12 question I want you to ask.
13 MR. AUCHINCLOSS: All right.
14 THE COURT: And then if she can answer that
15 "yes," you can ask the next question.
16 MR. AUCHINCLOSS: Thank you, Your Honor.
17 Q. Jimmy Safechuck. Do you know or do you
18 believe you could characterize -- first of all, let
19 me -- do you know what his age was during the period
20 of time that he was a close friend of Mr. Jackson.
21 A. No.
22 Q. Could you characterize -- approximate his
23 age based upon his appearance.
24 A. Ten to 13, 14 years old.
25 Q. Okay. What about -- same question for Mr.
26 Robison. Did you know his age.
27 A. No.
28 Q. Could you characterize it based upon your 2541

1 observations.
2 A. About the same age.
3 Q. Omar Bhatti, or Omar, the guy -- you said
4 Omar. What about him, did you know his age.
5 A. I think he was 14 when I left, but I'm not
6 sure. 14 or 15.
7 Q. Okay. And how long had he known Mr. Jackson
8 or were you aware of their relationship prior to the
9 time that you left.
10 MR. MESEREAU: Objection; foundation.
11 MR. AUCHINCLOSS: I can -- I can follow that
12 up. I'll strike that last question, Your Honor.
13 THE COURT: All right.
14 Q. BY MR. AUCHINCLOSS: When was the first time
15 that you met Mr. Bhatti. I'm sorry, I'm using --
16 Mr. Bhatti, Omar, the 14-year-old you knew as
17 "Omar."
18 A. I think 1998.
19 Q. Okay. And if -- and he was about 14 in
20 '93 (sic).

21 A. Uh-huh.
22 Q. Was that what you're saying.
23 A. Yes, something -- 14 or 15.
24 Q. All right. Frank Cascio. I think you said
25 that -- how old -- did you know how old Frank Cascio
26 was when you left in '93 (sic).
27 A. I think he was 22 or 23.
28 Q. Okay. And you previously testified you 2542

1 first met him in 1991, I think; is that correct.

2 A. Yeah, I think it was '91.

3 Q. Aldo Cascio, can you characterize -- do you
4 know how old he was when you left the ranch in
5 '93 (sic).

6 A. In 2003.

7 Q. I'm sorry, '93. I'm saying "'93." 2003.

8 That's what I mean.

9 A. I think he was 12.

10 Q. All right. What do you base that upon.

11 A. You kind of get to know the kids a little
12 bit, and I think he was about that age. Somewhere
13 right around there.

14 Q. Okay. McCaulay Culkin. Do you know how old
15 he was during the period of time that he was a close
16 friend of Mr. Jackson or formed --

17 A. No, I really don't.

18 Q. Okay. Can you characterize it, based upon
19 your observations.

20 MR. MESEREAU: Objection. Asked and

21 answered. No foundation.

22 THE COURT: Overruled.

23 THE WITNESS: I don't know. Ten, 12, 13
24 years old.

25 Q. BY MR. AUCHINCLOSS: Brett Barnes. Do you
26 know how old he was during the time that he was a
27 close friend --

28 A. No. 2543

1 Q. -- of Mr. Jackson.

2 And same question, follow-up question. Can
3 you characterize his approximate age.

4 A. About the same age.

5 Q. 11 to 13.

6 A. Yeah.

7 Q. Elijah, do you know how old he was when he
8 had a special or a close friendship with Mr.
9 Jackson.

10 MR. MESEREAU: Your Honor, I'm going to
11 object to the characterization. Misstates the
12 evidence.

13 THE COURT: Sustained.
14 Q. BY MR. AUCHINCLOSS: Did -- based upon your
15 observations, did the individual you named as Elijah
16 have a relationship with Mr. Jackson.
17 A. Yes.
18 Q. And how would you characterize it.
19 A. Close friendship.
20 Q. Okay. And during the time that he -- this
21 individual named Elijah was a close friend, shared a
22 close friendship with Mr. Jackson, do you know how
23 old he was.
24 A. Well, I think Elijah is also a relative.
25 Q. Okay. Is he someone who lives locally.
26 A. Yeah. Not too far from here.
27 Q. As far as you know.
28 A. Uh-huh. 2544

1 Q. And do you know how old he is today.
2 A. No.
3 Q. Do you know how old -- so does Elijah
4 continue to visit the ranch.
5 A. When I left in September he did.
6 Q. And can you characterize, based upon your
7 observations, of his approximate age.
8 A. When he started coming there.
9 Q. No, when you left the ranch.
10 A. I think he was over 18.
11 Q. How about when he started there -- when you
12 started there.
13 A. He was -- he was pretty young, so I would
14 say around eight years old.
15 Q. He was about eight when you first saw him
16 come to the ranch.
17 A. Yeah.
18 Q. And you mentioned some local boys from Los
19 Olivos. We didn't talk about how many of them there
20 were. Do you know -- how many boys are you talking
21 about when you say "local boys from Los Olivos".
22 A. Four or five.
23 Q. Were they of different ages or similar ages.
24 A. I think they were all in the eighth or ninth
25 grade.
26 Q. Okay.
27 A. Maybe even the seventh grade. I'm not too
28 sure. 2545

1 Q. During your time as an employee for Mr.
2 Jackson, did you ever observe him to drink alcohol.
3 A. Yes.
4 Q. Did you observe him drinking alcohol during

5 the time period that we've talked about, from 2002
6 through 2003 when you left.
7 A. I think so, but I can't say for 100 percent
8 certain. I didn't pay attention.
9 Q. Okay. Do you know what his alcoholic
10 beverages of choice were.
11 MR. MESEREAU: Objection. Assumes facts not
12 in evidence; no foundation; leading.
13 THE COURT: Sustained.
14 MR. AUCHINCLOSS: I can lay some foundation.
15 THE COURT: Sustained.
16 Q. BY MR. AUCHINCLOSS: Did you ever observe --
17 you said you observed him drinking alcohol.
18 A. Yes.
19 MR. MESEREAU: Objection. Misstates the
20 evidence, Your Honor.
21 THE COURT: It depends on the time frame.
22 She didn't say she remembers him drinking during the
23 time frame you gave. So if we're assuming your
24 question's continuing the time frame --
25 MR. AUCHINCLOSS: Very well.
26 THE COURT: I'll sustain the objection.
27 MR. AUCHINCLOSS: I understand.
28 Q. Based upon your experiences during the 2546

1 entire time frame you were an employee of the
2 ranch - okay. --
3 A. Okay.
4 Q. -- you said that you observed Mr. Jackson
5 drinking alcohol.
6 A. Yes.
7 Q. Do you know what his -- what type of alcohol
8 he would drink.
9 A. Wine.
10 Q. Okay. Anything else.
11 A. Sometimes he had vodka.
12 Q. All right. During your entire employment at
13 Neverland Ranch, have you ever observed children to
14 appear to be intoxicated.
15 MR. MESEREAU: Objection; leading.
16 MR. AUCHINCLOSS: It's a fair question.
17 THE COURT: Overruled.
18 You may answer.
19 THE WITNESS: Yes.
20 Q. BY MR. AUCHINCLOSS: On approximately how
21 many occasions.
22 A. I can't say for sure how many times, but
23 I've seen it a couple times.
24 Q. Okay. Have you seen children to be
25 intoxicated in the presence of Michael Jackson.
26 MR. MESEREAU: Objecting; leading.
27 THE COURT: Overruled.

28 You may answer. 2547

1 THE WITNESS: They were acting different. I
2 don't know if they were intoxicated.
3 Q. BY MR. AUCHINCLOSS: Did they appear to be
4 intoxicated to you.
5 MR. MESEREAU: Objection; leading.
6 THE COURT: Asked and answered; sustained.
7 MR. AUCHINCLOSS: Okay.
8 Q. Have you told detectives in this case that
9 you observed children to be intoxicated in the
10 presence of Mr. Jackson.
11 MR. MESEREAU: Objection. Leading; asked
12 and answered.
13 THE COURT: Overruled.
14 MR. AUCHINCLOSS: It's impeachment.
15 Q. Go ahead. You may answer.
16 A. I believe they were intoxicated, yes.
17 Q. And is that your belief, your true belief,
18 that these children were, in fact, intoxicated.
19 MR. MESEREAU: Objection. Asked and
20 answered; leading.
21 THE COURT: Sustained.
22 Q. BY MR. AUCHINCLOSS: You said it happened;
23 you couldn't characterize exactly how many times.
24 Was it more than two. More than three. Can you
25 help me out with a little more specifics.
26 A. Three to four times.
27 Q. Okay. Do you remember -- do you remember
28 any specific instances. 2548

1 A. One time when I was serving them dinner,
2 they appeared to be intoxicated.
3 Q. All right. What -- what time frame are we
4 talking about.
5 A. This would be in September, about, of 2003.
6 Q. How many children were at the dinner table.
7 A. Four or five.
8 Q. Was Mr. Jackson at the dinner table.
9 A. Yes.
10 Q. Were there any adults at the dinner table.
11 A. No.
12 Q. And of the four or five children, how many
13 of them appeared to be intoxicated.
14 A. At least three of them.
15 Q. Do you know where those children were
16 immediately before dinner.
17 A. I think they were at the ranch house.
18 Q. And what do you base that upon.
19 A. Because you kind of can keep tabs about

20 where everybody's at, because you have certain
21 duties you have to do, like clean the rooms when the
22 guests are out and about, so you kind of keep tabs,
23 you know, if they're in the amusement park or the
24 theater, so --
25 Q. Do you know if Mr. Jackson was at the ranch
26 house with them.
27 A. I don't know that, but I think so.
28 MR. MESEREAU: Move to strike, Your Honor. 2549

1 Speculation.
2 THE COURT: It's stricken. The jury's
3 admonished to disregard that.
4 MR. AUCHINCLOSS: All right.
5 Q. Let's talk about -- do you remember another
6 event where you saw children that appeared to be
7 intoxicated.
8 MR. MESEREAU: Objection.
9 Q. BY MR. AUCHINCLOSS: That's fresh in your
10 mind, other than the one we just spoke about.
11 MR. MESEREAU: Objection. Leading; asked
12 and answered.
13 THE COURT: Overruled.
14 THE WITNESS: Sitting here right now, I
15 can't remember exactly an incident.
16 Q. BY MR. AUCHINCLOSS: Have you ever heard the
17 term "Pinocchio's Pleasure Island".
18 A. Yes.
19 MR. MESEREAU: Objection; leading.
20 THE COURT: Overruled. She said "Yes."
21 Go ahead.
22 Q. BY MR. AUCHINCLOSS: Where did that term
23 come from.
24 A. The story of Pinocchio.
25 Q. But, I mean, the phrase "Pinocchio's
26 Pleasure Island," where did that come from.
27 A. I believe I said that.
28 Q. And what did you say that in reference to. 2550

1 MR. MESEREAU: Objection. Relevance; 352;
2 foundation; leading. Move to strike. And opinion.
3 THE COURT: Overruled.
4 THE WITNESS: With the absence of an
5 authority figure, these children became wild. And
6 without their parents there, it became like
7 Pinocchio's Pleasure Island sometimes.
8 Q. BY MR. AUCHINCLOSS: Neverland did.
9 A. Yes.
10 MR. AUCHINCLOSS: All right. Thank you. I
11 have no further questions.

12 THE COURT: Cross-examine.
13 MR. MESEREAU: Yes, please, Your Honor.
14 MR. AUCHINCLOSS: Your Honor, I'm sorry.
15 There is one question that I forgot to ask this
16 witness, if I may reopen just briefly.
17 THE COURT: All right.
18 Q. BY MR. AUCHINCLOSS: During the period of
19 time that you were at Neverland, at the end of
20 2002 -- you came back to work at the end of 2002.
21 A. Yes.
22 Q. Do you remember the month.
23 A. December.
24 Q. Okay. Do you know, during that time, from
25 December of 2002 until you left in 2003 -- and I
26 believe it was September --
27 A. Yes.
28 Q. -- where the key for the wine cellar in the 2551

1 arcade was kept at Neverland Ranch.
2 A. It was supposed to be in the safe in the
3 housekeepers' break room.
4 Q. Was there a safe in the housekeepers' break
5 room at that time.
6 A. Yes.
7 Q. And the rule was to keep the key in that
8 safe.
9 A. Yes.
10 Q. Do you know who had the combination to that
11 safe.
12 A. The housekeepers. And I did, too.
13 MR. AUCHINCLOSS: Okay. Thank you. No
14 further questions
15 THE COURT: Cross-examine.
16 MR. MESEREAU: Yes, please, Your Honor.
17
18 CROSS-EXAMINATION
19 BY MR. MESEREAU:
20 Q. Good morning.
21 A. Good morning.
22 Q. Is it pronounced "Fournier".
23 A. That's fine.
24 Q. "Fournier".
25 A. "Fournier" is fine.
26 Q. My name is Tom Mesereau and I speak for
27 Mr. Jackson.
28 A. Okay. 2552

1 Q. You and I have never spoken before, right.
2 A. No.
3 Q. Okay. During the time that you were

4 employed at Neverland, when did you typically start
5 the day.

6 A. It all depended.

7 Q. Did you have any set schedules from time to
8 time.

9 A. We tried setting schedules. But depending
10 on the amount of people that were coming to visit,
11 the guests, I mean, it never worked, because you
12 always needed more people with more hours.

13 Q. So, I mean, would you -- let's take a
14 typical week. Would you attempt to abide by a
15 schedule where you might start at 8:00 and finish at
16 6:00, or something like that.

17 A. Yeah. Typically when there was nobody
18 there, we would try to do 9:00 to 5:30. And my
19 schedule was always kind of crazy because I was
20 always going to school at the same time that I was
21 working.

22 Q. Okay.

23 A. And working around children's babysitting
24 schedules, too, so --

25 Q. Could you explain that a little bit. When
26 were you going to school.

27 A. Pretty much all the time.

28 Q. Okay. What schooling were you doing. 2553

1 A. Community college.

2 Q. Okay. Would that be local.

3 A. Yes. Here in Santa Maria.

4 Q. Okay. And what college was that.

5 A. Hancock.

6 Q. And what years were you going to Hancock.

7 A. I've been going too long. Off and on. I
8 still am going. I just recently dropped my classes,
9 though, but -- so quite a bit.

10 Q. And when did you start going to Hancock
11 College.

12 A. You're going to embarrass me. '87.

13 Q. Okay. I'm not trying to do that.

14 And obviously you were going part time,
15 right.

16 A. Yes. Some semesters it was part time and
17 other semesters it was full time.

18 Q. Typically, would you be going to college at
19 night or during the day.

20 A. It depended on what semester it was.

21 Q. Okay. Now, when you went full time, were
22 you still working at Neverland.

23 A. No. I don't think so, no.

24 Q. If you can, please tell the jury when you
25 went to college full time.

26 A. Probably around 1990, the end of '91,

27 beginning of '91, something like that.
28 Q. You've gone sort of part time since then. 2554

1 A. Yeah, taking two or three classes.
2 Q. And if you take two or three classes, how
3 much time does that require that you be off the
4 premises of Neverland.
5 A. Just to attend the class or including
6 homework.
7 Q. How about the class. Start with that.
8 A. Couple hours on certain days.
9 Q. And would there be commuting time as well.
10 A. Yes.
11 Q. And what would that be, about, back and
12 forth.
13 A. 45 minutes each way, and a two-hour,
14 three-hour class, depending on, and then 45 minutes
15 back.
16 Q. And how many days a week did you, on
17 average, attend college part time, would you say.
18 A. Two or three days a week.
19 Q. Okay. And how about your homework. On a
20 typical week, how many hours a week do you think
21 you'd spend on homework.
22 A. 10, 15.
23 Q. Okay. Would you typically do your homework
24 at Neverland.
25 A. No.
26 Q. Okay.
27 A. But I did keep my note cards in my pocket
28 quite a bit, and I did do my homework as I worked 2555

1 sometimes.
2 Q. Okay. The prosecutor was asking you some
3 questions about titles, and he asked you if Frank
4 Tyson had a title and Dieter had a title.
5 You don't know of any titles these people
6 ever had, do you.
7 A. No. Not formally, no.
8 Q. And you don't really know what kind of
9 relationship, in terms of business, Frank Tyson had
10 with Michael Jackson, do you.
11 A. No.
12 Q. And you don't really know what kind of a
13 business relationship, if any, Marc Schaffel had
14 with Mr. Jackson, do you.
15 A. No, I just knew that he worked for him, and
16 something with the birthday party. That's all I
17 know. But I don't know the title name exactly, no.
18 Q. So you knew that Marc Schaffel had something

19 to do with a birthday party for Mr. Jackson, right.
20 A. Yes.
21 Q. But you don't really know if he, in any
22 shape or form, was an actual partner or shareholder
23 or employee or anything with Mr. Jackson, right.
24 A. No, I don't know that.
25 Q. And you don't know whether Mr. Tyson had any
26 type of actual business relationship with Mr.
27 Jackson in terms of employment or partnership or
28 business venture together, do you. 2556

1 A. Well, I know that Frank did work for Mr.
2 Jackson and he was out at the ranch for a couple of
3 months.
4 Q. But he would be there for a couple of months
5 and then just disappear for six months, right.
6 A. Yes. But I joked around with him that he
7 was working with the commoners now.
8 Q. Well, was it your understanding that he was
9 trying to get in the music business.
10 A. Yeah. When you mention it, I remember
11 hearing something about that, yes.
12 Q. Was it your understanding that he was trying
13 to present himself as a promoter of music ventures.
14 MR. AUCHINCLOSS: Objection. Hearsay; no
15 foundation.
16 THE COURT: Overruled.
17 THE WITNESS: I just remember something
18 about music that Frank was trying to do, but I
19 don't --
20 Q. BY MR. MESEREAU: But you don't really know
21 what, in fact, he was doing.
22 A. No.
23 Q. He could have been puffing up his
24 credentials and his importance and there could be
25 nothing there, right.
26 A. True.
27 Q. And he never, ever said to you, "I have this
28 particular business association with Mr. Jackson." 2557

1 He just demonstrated an interest in music and the
2 life that Michael was leading, right.
3 A. Yes.
4 Q. Okay. Now, the prosecutor did not mention
5 Marie Nicole, his sister. Do you remember that.
6 A. Yes.
7 Q. And Marie Nicole, Frank Tyson's sister, was
8 a frequent visitor at Neverland, right.
9 A. Yes.
10 Q. And when you say "Frank Tyson," that's Frank

11 Cascio, right. He seemed to use both names,
12 correct.
13 A. Yes.
14 Q. So his sister Marie Nicole stayed there
15 often, right.
16 A. Yes.
17 Q. And his brother Aldo stayed there often,
18 right.
19 A. Yes.
20 Q. And his father Dominick stayed there often,
21 didn't he.
22 A. Not as much as the kids. But, yes, he was
23 there.
24 Q. The whole family would visit from time to
25 time, right.
26 A. Yes.
27 Q. Okay. How about Frank's mother.
28 A. She would visit, I would say, a couple times 2558

1 a year. At Christmastime.
2 Q. Did Frank impress you as someone who liked
3 to sort of promote himself or brag about his
4 association with Mr. Jackson.
5 A. I don't know if he bragged about his
6 association with Mr. Jackson, but he was different.
7 Q. He bragged a lot, right.
8 A. I can't remember him directly bragging to
9 me. But I know that he liked himself.
10 (Laughter.)
11 Q. Okay. All right. That's good enough.
12 Okay. And did he impress you as the kind of
13 person that would come back and forth with a very
14 irregular pattern. I mean, you just never knew when
15 he would pop up, and then he would just flat out
16 disappear, right.
17 MR. AUCHINCLOSS: Objection; vague as to
18 time.
19 THE COURT: Overruled.
20 You may answer.
21 THE WITNESS: Yes, he would.
22 Q. BY MR. MESEREAU: Certainly you could not
23 characterize his being at Neverland as appearing to
24 be some type of pattern where he'd check in or check
25 out, or anything like that, at a particular time
26 like an employee would, right.
27 A. No. But I do know for a while he was an
28 employee, because he told me that. 2559

1 Q. He told you he was an employee.
2 A. Yeah.

3 Q. But he didn't tell you who was paying him,
4 did he.
5 A. No.
6 Q. You don't know actually what company was
7 paying him, if one was, right.
8 A. No, I don't know.
9 Q. All right. Now, would you agree, in the
10 world of Michael Jackson, all kinds of characters
11 show up claiming they're his friend, right.
12 A. Yes.
13 Q. All kinds of characters are always showing
14 up trying to act like they're close to Michael
15 Jackson, correct.
16 A. Yes.
17 Q. And Michael Jackson has made the employees
18 aware at Neverland that all kinds of imposters,
19 kooks, nuts, crazy people show up saying, "I'm his
20 friend," right.
21 A. Yes.
22 Q. And they actually try to get in often, don't
23 they.
24 A. Yes.
25 Q. And -- and all kinds of wild people call up
26 all the time trying to pretend that they are close
27 to Michael, right.
28 A. Yes. They have called. 2560

1 Q. You've seen these people come and go for
2 years, right.
3 A. Do you mean breaking in on the property,
4 too.
5 Q. Just trying to get close to Michael Jackson.
6 A. Oh, yes.
7 Q. Some line, some yarn they're spinning,
8 whatever it is, right.
9 A. Yes.
10 Q. And you've seen people show up from time to
11 time and look as if they're close to him, and then
12 you never see them again suddenly, right.
13 A. Yes.
14 Q. Okay. Now, you mentioned Vinnie -- or,
15 excuse me, the prosecutor, or the government
16 mentioned Vinnie Amen. Do you remember.
17 A. Yes.
18 Q. Now, he was in his early 20s, as far as you
19 know, wasn't he.
20 A. Yes.
21 Q. And Frank Tyson was in his early 20s, right.
22 A. Yes.
23 Q. And Vinnie Amen also appeared to try and
24 promote himself as having something to do with the
25 music industry, right.

26 A. I never knew what Vinnie was doing.
27 Q. Did you see him -- did you see him hang out
28 with Frank a fair amount. 2561

1 A. Yeah. And they both got desks up in the
2 video library, so --
3 Q. Right. Right. But he didn't come on any
4 regular basis, did he. He was another one of these
5 guys who would show up, you'd see him for a while,
6 and then the guy disappears, right.
7 A. Yes.
8 Q. And you certainly never really knew what
9 business relationship, if any, he had with Michael,
10 right.
11 A. Yes.
12 Q. But he was another one of these guys that
13 would just strut around and promote himself because
14 he supposedly knew Michael Jackson, right.
15 A. Yes.
16 Q. You've seen a lot of young people in their
17 20s suddenly come around and act like they know
18 Michael Jackson, right.
19 A. Yes.
20 Q. And you've seen a lot of people say they're
21 music promoters or music agents, or whatever, to
22 claim that they are part of the world of Michael
23 Jackson, correct.
24 A. Yes.
25 Q. Now, during the time you've worked at
26 Neverland, you've seen thousands of children,
27 probably, come to Neverland, right.
28 A. Yes. 2562

1 Q. Neverland appears to be designed for kids,
2 doesn't it.
3 A. Yes.
4 Q. You've got an amusement park, right.
5 A. Uh-huh.
6 Q. You've got a zoo, right.
7 A. (Nods head up and down.)
8 Q. You've got fields where kids could play,
9 right.
10 A. (Nods head up and down.)
11 Q. You've got a theater where they can go in
12 and get popcorn or ice cream or sodas, right.
13 A. (Nods head up and down.)
14 Q. And there's a lot of freedom at Neverland
15 regarding what movie you can see, right. Isn't
16 there some big library where you can get videos and
17 play those --

18 A. Yes.
19 Q. -- movies.
20 You've got the arcade with all sorts of
21 games, right.
22 A. Yes.
23 Q. And you've seen, during the time you've
24 worked there, busloads of kids, impoverished kids
25 from the inner city, for example, coming out to
26 visit Neverland, right.
27 A. Yes.
28 Q. And they can be a little wild from time to 2563

1 time, can't they.
2 A. Oh, yes.
3 Q. And you've seen hundreds of kids come at one
4 time with maybe a couple of adults escorting them
5 around, correct.
6 A. Yes.
7 Q. And they'll spend the whole day at
8 Neverland, right.
9 A. Yes.
10 Q. Now, were you ever asked to help supervise
11 or organize these busloads of kids that often come
12 out.
13 A. No.
14 Q. Your job was strictly what.
15 A. Cleaning and serving.
16 Q. Okay. Okay. Now, sometimes when these
17 hundreds and hundreds of kids will show up from the
18 inner city or from schools, or wherever they're
19 from --
20 MR. AUCHINCLOSS: I'll object as
21 mischaracterizes the testimony. We've gone from 100
22 to hundreds and hundreds.
23 MR. MESEREAU: I'll rephrase it.
24 Q. You've seen, on a given day, literally
25 hundreds of children show up to spend the day,
26 haven't you.
27 A. Yes.
28 Q. And -- bless you. 2564

1 A. Yes.
2 Q. And you have also seen this happen quite a
3 bit, haven't you, where, on a given day, buses or
4 carloads of kids come to spend the day.
5 MR. AUCHINCLOSS: Objection; compound.
6 THE COURT: Overruled.
7 THE WITNESS: Yes.
8 Q. BY MR. MESEREAU: And typically what will
9 happen is these children will come late morning,

10 spend the whole day, and sometimes into the evening,
11 correct.
12 A. Yes.
13 Q. Now, you don't typically see Michael Jackson
14 supervising these kids, do you.
15 A. No.
16 Q. In fact, you almost never see Michael
17 Jackson supervising these kids, right.
18 A. No.
19 Q. And it's your understanding that typically
20 when these busloads or carloads of children show up,
21 that they're with people, adults, who are in charge
22 of them, correct.
23 A. Yes.
24 Q. And you have seen these children from time
25 to time be pretty rambunctious or wild, right.
26 A. Yes.
27 Q. You've seen them be a little wild on the
28 rides, right. 2565

1 A. Uh-huh.
2 Q. You've seen them go a little crazy when the
3 elephants come walking through the property, right.
4 A. Yes.
5 Q. You've seen sometimes the camel comes
6 walking out with a zookeeper and the children all
7 love that, right.
8 A. Yes.
9 Q. You've been -- have you seen the children go
10 to the zoo and go from area to area to see the
11 alpacas and the giraffes and the tiger and the
12 chimps and all that.
13 A. Yes.
14 Q. And you've seen children, at times, get out
15 of line, haven't you.
16 A. Yes.
17 Q. They start throwing things, right.
18 A. Yes.
19 Q. You've seen kids throw stuff from the rides,
20 right.
21 A. Yes.
22 Q. Would you agree that it's to be expected at
23 Neverland that when you have hundreds of children,
24 many of them from impoverished areas, they come to
25 this world of amusement, and zoos, and films, and
26 candy and popcorn and ice cream, and all that stuff,
27 they sometimes go crazy, don't they.
28 MR. AUCHINCLOSS: Objection. Calls for a 2566

1 conclusion; argumentative.

2 THE COURT: It's argumentative. Sustained.
3 MR. MESEREAU: Okay.
4 Q. Is it unusual for young kids, seven, eight,
5 nine, ten, thirteen, whatever they are, to just
6 start going wild at Neverland.
7 A. Yes.
8 Q. It's not unusual, is it.
9 A. No, it's not unusual.
10 Q. Okay. Is it your impression that these
11 busloads of children that periodically come to
12 Neverland just look like they've sort of walked into
13 a fantasy world.
14 A. Yes.
15 Q. In fact, in the evening at Neverland, you
16 hear Disney music playing, don't you.
17 A. Yes.
18 Q. And you have trees with lights that almost
19 look like it's Christmastime, right.
20 A. Yes.
21 Q. And you hear Disney-like voices coming from
22 loud speakers, right.
23 A. Yes.
24 Q. And you've seen many of these children want
25 to stay there into the evening because of this sort
26 of fantasy-like world at night, right.
27 A. Yes.
28 Q. Okay. Now, would it be accurate to say that 2567

1 these kinds of trips that children make to Neverland
2 happen quite often.
3 A. The busloads.
4 Q. Busloads or carloads, however they get
5 there. You have children visiting Neverland a fair
6 amount, don't you.
7 A. Yes.
8 Q. Okay. Is it your impression that Neverland
9 appears to almost be designed as a place for
10 children.
11 A. Yes, I do.
12 Q. You have a train, right, that travels around
13 Neverland.
14 A. Yes.
15 Q. And it's almost out of a Walt Disney-type
16 movie, isn't it.
17 MR. AUCHINCLOSS: I'll object. 352;
18 relevancy; undue consumption of time.
19 THE COURT: Overruled.
20 THE WITNESS: Yes.
21 Q. BY MR. MESEREAU: And you see kids jump on
22 those trains, that train, and travel all around
23 Neverland, don't you.
24 A. Yes.

25 Q. You have clocks everywhere, don't you.
26 A. Yeah.
27 Q. And they're big clocks that look sort of
28 Walt Disney-like, don't they. 2568

1 A. Yes.
2 Q. You've got a big clock on a hill that's
3 partly flowers, isn't it.
4 A. Yes.
5 Q. And that's where a train station is, right.
6 A. Yes.
7 Q. You even have your own little fire station,
8 with a fire truck, right.
9 A. Yes.
10 Q. Now, Mr. Auchincloss mentioned Dieter. And
11 you indicated you had seen him there a few times,
12 right.
13 A. Yes.
14 Q. But you never really knew if he had any
15 formal type of business relationship with Mr.
16 Jackson, did you.
17 A. The only thing I remember with Dieter is
18 there was a doll, probably like this high, that was
19 porcelain, that was Mr. Jackson; that he had told me
20 that he was working on making those. Because I
21 offered to glue it back together because it broke,
22 and he said it wasn't needed because there was many,
23 many more where that came from.
24 Q. So he was telling you he was trying to
25 manufacture dolls.
26 A. Something like that. Porcelain -- porcelain
27 figurines.
28 Q. Okay. Did he tell you where they were going 2569

1 to be manufactured.
2 A. No.
3 Q. But if Michael Jackson even knew about this
4 or was involved in it, you don't really have
5 firsthand knowledge, right.
6 A. I don't know.
7 Q. Okay. Did Dieter seem like a promoter to
8 you, sort of. Would that be an accurate word.
9 A. I guess, yes. He seemed like a businessman.
10 That's how I would describe him.
11 Q. Did he seem impressed with himself.
12 A. I guess you could say that. Somebody might
13 say that.
14 Q. Did he talk much.
15 A. No.
16 Q. Okay. If he had any contractual

17 relationship with Mr. Jackson or partnership
18 relation, whatever it could be, you're not aware of
19 it.
20 A. No.
21 Q. And did he sort of come and then disappear,
22 too.
23 A. Yes.
24 Q. Let's talk about Ron. Do you know who I'm
25 talking about.
26 A. Yes.
27 Q. Okay. Konitzer is his name, right.
28 A. Yes. 2570

1 Q. Did you talk to him very much.
2 A. No.
3 Q. Did he seem like a self-promoter also.
4 MR. AUCHINCLOSS: I'll object as calls for a
5 conclusion. Vague as to "self-promoter."
6 THE COURT: Sustained.
7 Q. BY MR. MESEREAU: Did Mr. Konitzer seem like
8 he was impressed with himself.
9 A. I never really talked to either of them,
10 so -- they seemed -- Ron seemed much nicer.
11 Q. Nicer than Dieter.
12 A. Ronald. Yes.
13 Q. But you never really talked to Ron or
14 Dieter.
15 A. No.
16 Q. And I think it goes without saying, if Ron
17 had any type of formal association with Mr. Jackson,
18 you don't know what it was, right.
19 A. No, I don't know.
20 Q. And didn't he sort of show up at unexpected
21 times and then just not be there for many, many
22 months.
23 A. Yes.
24 Q. Okay. Schaffel would show up once in a
25 while, right.
26 A. Yes.
27 Q. And then he would disappear, right.
28 A. Yes. 2571

1 Q. In fact, there were periods where months
2 would go by, you'd never see Schaffel, right.
3 A. No, you wouldn't.
4 Q. Did you get the impression that Schaffel was
5 trying to promote himself as someone who knew
6 Michael Jackson.
7 A. I don't want to sound odd when I say this,
8 but I think he was an opportunist. I --

9 Q. He was one of many opportunists that you
10 bumped into while working at Neverland, right.
11 MR. AUCHINCLOSS: Objection; argumentative.
12 THE COURT: Overruled.
13 You may answer that.
14 THE WITNESS: I'm sorry, what was the
15 question.
16 THE COURT: I can have it read back to you.
17 MR. MESEREAU: Okay.
18 (Record read.)
19 THE WITNESS: Yes.
20 Q. BY MR. MESEREAU: Now, if Dieter was telling
21 things to Michael Jackson, you don't know what they
22 were, right.
23 A. No.
24 Q. If Ron was communicating with Michael
25 Jackson about anything specific, you don't know what
26 that was, right.
27 A. No.
28 Q. And if Frank was communicating anything 2572

1 specific to Michael Jackson, you don't really know
2 what that was, right.
3 A. No.
4 Q. If Vinnie was communicating anything to
5 Michael Jackson, you don't know what that was,
6 right.
7 A. No.
8 Q. Same with Schaffel, right.
9 A. Yes. Same.
10 Q. Now, let me ask the question a slightly
11 different way: If Ron was withholding information
12 from Michael Jackson, you wouldn't know anything
13 about it, right.
14 A. No.
15 Q. If Dieter was withholding information from
16 Michael Jackson, you wouldn't know anything about
17 that, right.
18 A. No.
19 Q. If Schaffel was withholding information from
20 Mr. Jackson, you don't know anything about it.
21 A. No.
22 Q. And the same would apply to Frank and
23 Vinnie, right.
24 A. Yes.
25 Q. So what they were really telling him and
26 what they weren't telling him, you don't know.
27 A. No, I don't know.
28 Q. And would it be accurate to just say, in 2573

1 summary, these characters would show up once in a
2 while, disappear, and you never could predict when
3 they would be there or not be there, right.
4 A. Yes, you never could predict.
5 Q. Okay. Okay. Now, in your work, if you
6 can -- if you can generalize it -- I don't know if
7 you can, but let's take 2002 to 2003.
8 When you weren't in school and you weren't
9 doing your homework, and you were at Neverland, how
10 often might you see Michael.
11 A. If he was there, a couple of times a day.
12 Sometimes not at all if -- you know, depending on
13 how he was feeling.
14 Q. Would Michael disappear for long periods of
15 time and go places that you weren't even aware of.
16 A. Do you mean leave the property.
17 Q. Yes.
18 A. Yes, he would.
19 Q. And sometimes he'd be away for a long time,
20 wouldn't he.
21 A. Yes.
22 Q. Weeks, months, right.
23 A. Yes.
24 Q. And when he was at Neverland, you didn't
25 really know everything he was doing, right.
26 A. No.
27 Q. Did you ever see him go into his studio.
28 A. The dance studio. 2574

1 Q. Yes.
2 A. Yes.
3 Q. And you weren't always in there when he was
4 in his dance studio, were you.
5 A. No.
6 Q. And if he were creating or choreographing or
7 whatever he was doing, you weren't knowledgeable
8 about it, right.
9 A. No.
10 Q. And would you see Michael sometimes in the
11 evening walking around the property.
12 A. Yes.
13 Q. Sometimes he's alone, right.
14 A. Yes.
15 Q. In fact, you would often see Michael alone
16 walking around, wouldn't you.
17 A. Yes.
18 Q. He would take long walks and do his creative
19 work alone, right.
20 A. Well, what he was doing on his walk, I don't
21 know. But he would walk.
22 Q. Did you ever see Michael sitting up in his
23 tree where he likes to think and create.

24 MR. AUCHINCLOSS: Objection; assumes facts.
25 THE COURT: Sustained.
26 Q. BY MR. MESEREAU: Are you aware of a tree
27 that Michael Jackson will sometimes just sit in
28 alone so he can create his musical work. 2575

1 A. I'm aware of the tree.
2 Q. Okay. Do you know where it is. Right near
3 the main house, right.
4 A. Yes.
5 Q. It's in the front.
6 A. Yes.
7 Q. Okay. All right. Clearly, you would not
8 keep tabs on where Michael was on any given moment
9 when he was at Neverland, right.
10 A. No, but, I mean, you kind of had an idea of
11 where he was so you could do what you needed to do,
12 you know. If you needed to mop the floor or
13 something, are they going to watch a movie for two
14 hours so you can get this thing done, that kind of
15 thing.
16 Q. Now, you mentioned someone named Joe Marcus.
17 A. Yes.
18 Q. What is his title, if he has one.
19 A. Ranch manager, I think.
20 Q. Okay. And did you typically report to him.
21 A. No, I would report to the house supervisor
22 first.
23 Q. Okay. And was it your understanding the
24 house supervisor would report to Mr. Marcus.
25 A. Yes.
26 Q. And would you often get direction about what
27 you are supposed to do from the house supervisor.
28 A. Yes. 2576

1 Q. Would you ever get it from Mr. Marcus.
2 A. Yes.
3 Q. In a typical day where you do your work at
4 Neverland, do you pretty much start the day knowing
5 what your assignments are.
6 A. Yeah, you do. You know, if there's guests
7 there, your duties change. And if there's nobody
8 there, you know, it's just cleaning. But when
9 there's guests there, it's serving the guests.
10 Q. Now, the prosecutor for the government tried
11 to suggest that Michael Jackson is on top of all the
12 details at Neverland. Do you remember that.
13 A. Yes.
14 Q. Isn't it true that there are months where
15 Michael isn't even around.

16 A. Yes.

17 Q. And you don't get your direction from
18 Michael specifically during those months, do you.

19 A. No. But I believe that he laid it out the
20 way that he wanted it. I mean, he wants us to take
21 care of the house when he goes away and that kind of
22 thing.

23 Q. Well, sure. There are general duties that
24 everybody has that's employed at Neverland, right.

25 A. Yes.

26 Q. You've got a zookeeper who's told to take
27 care of the zoo, right. You've got people in charge
28 of the amusement rides, right. 2577

1 A. Yes.

2 Q. You've got someone in charge of the theater,
3 right.

4 A. Not really in charge of the theater. That's
5 kind of what we did, so --

6 Q. But someone was certainly in charge of
7 making sure it's cleaned and that kind of thing,
8 right.

9 A. That would be us, yeah.

10 Q. Okay. So the house supervisor would
11 essentially be in charge of what you did at the
12 theater.

13 A. Yes.

14 Q. Okay. Okay. And you certainly had a
15 general responsibility to make sure that theater was
16 clean, right.

17 A. Yes.

18 Q. And would it be -- would it be, oh, accurate
19 to say that when that theater was filled with kids
20 watching a movie, they might leave and leave things
21 a little messy.

22 A. Absolutely.

23 Q. And would you see popcorn everywhere and
24 things like that.

25 A. Yep.

26 Q. And you were one of the people who had to
27 clean that, right.

28 A. Uh-huh. 2578

1 Q. Okay. Okay. So you've got a fairly large
2 staff there, don't you.

3 A. Yes.

4 Q. Would it be accurate to say, on average,
5 during the time that you worked at Neverland, there
6 may have been 50 or 60 employees.

7 A. Yes.

8 Q. Because you've got security people also,
9 don't you.
10 A. Yes.
11 Q. And would you be in touch with the security
12 people on a regular basis.
13 A. You'd see them throughout the day, so -- but
14 we wouldn't necessarily report anything to them. I
15 mean, unless there was a problem.
16 Q. Right. Let me know if this is an accurate
17 statement: You've got an average of 50 to 60
18 employees with different tasks that have been
19 spelled out for them, right.
20 A. Uh-huh.
21 Q. Whether it's security, the main house, the
22 zoo, whatever it is, right.
23 A. Uh-huh.
24 Q. You've got people with various levels of
25 supervisory authority, right.
26 A. Uh-huh.
27 Q. And you've got long periods where Michael
28 isn't even around, right. 2579

1 A. Yes.
2 Q. And Neverland seems to run even when Michael
3 isn't there, right.
4 A. Yes.
5 Q. Even when Michael is there, there are
6 periods where he seems to be off alone doing
7 whatever he's doing, right.
8 A. Yes.
9 Q. When you said that he's a detail person, you
10 weren't trying to suggest that Michael spends 15
11 hours a day supervising everybody's tasks, did you.
12 A. No.
13 MR. AUCHINCLOSS: Objection; argumentative.
14 THE COURT: Overruled. The answer was "No."
15 Next question.
16 Q. BY MR. MESEREAU: In fact, most of the
17 discussion about what people are going to do on a
18 daily basis is not with Michael, right.
19 A. No.
20 Q. Now, once in a while, because he's the
21 owner, he does directly tell someone his wishes,
22 right.
23 A. Yes.
24 Q. Because that's where -- he lives there and
25 his family lives there, right.
26 A. Yes.
27 Q. But most of the time, wouldn't you discuss
28 your daily responsibilities and obligations with 2580

1 people other than Michael.
2 A. Yes.
3 Q. Okay. Now, how many employees, would you
4 say, are assigned to the main house.
5 A. When I was there, and when I left in
6 September, there was five.
7 Q. Okay. And during the many years that you've
8 worked at Neverland, do people's responsibilities
9 typically remain or do people shift into other types
10 of jobs from time to time.
11 A. They shift from time to time.
12 Q. Now, have you shifted a little bit.
13 A. A little bit sometimes, yes.
14 Q. What kind of shifting have you done.
15 A. I helped with the kids a little bit. But
16 very little.
17 Q. Do you mean Michael's children.
18 A. Yes.
19 Q. Could you tell the jury their names.
20 A. Prince and Paris and Blanket.
21 Q. Okay. And their ages.
22 A. I think Prince is about eight, and Paris is
23 about seven. And the little one is two now, I
24 think.
25 Q. Okay. And what have your responsibilities
26 been with the three children.
27 A. Well, I would just watch them briefly, you
28 know, when the nanny was busy doing something. 2581

1 And -- you know, or take them out to the zoo. One
2 time I did, you know, so -- and watch Paris when she
3 was little for one night.
4 Q. Okay. The prosecutor for the government
5 asked you a question about children not staying in
6 their assigned rooms. Remember that.
7 A. Yes.
8 Q. And you said something to the effect that
9 sometimes a child would have a room, I imagine in
10 the guest units, right.
11 A. Yes.
12 Q. And you would see the bed not made, right.
13 A. Do you mean not used or not made.
14 Q. Pardon me, not made. Let me strike that.
15 Wrong choice of words.
16 You would sometimes come in and see a room
17 that just didn't appear to be used, right.
18 A. Yes.
19 Q. And I think what the government prosecutor
20 was suggesting was the kids must have been somewhere
21 during the evening, right.
22 A. Yes.

23 Q. But I'm curious. You also said that you
24 looked at Gavin's room and it often was a mess,
25 right.
26 A. Toward the end, yes.
27 Q. Suggesting that Gavin was staying in the
28 room, right. 2582

1 A. I believe it was he and his brother that
2 were staying in there.
3 Q. And they made a real mess out of that room,
4 didn't they.
5 A. Yes.
6 Q. Quite often, didn't they.
7 A. Toward the end, yes.
8 Q. And they were known -- they had a reputation
9 at Neverland for having disciplinary issues with the
10 staff, didn't they.
11 MR. AUCHINCLOSS: Objection. Calls for
12 hearsay and calls for a conclusion; improper
13 characterization of the evidence.
14 THE COURT: Overruled.
15 You may answer.
16 THE WITNESS: Not really with me. I mean,
17 Gavin was always respectful with me. Always. Star
18 could be a little bit ornery. And Davellin, we'd
19 talk every once in a while. But I never experienced
20 any problems.
21 Q. BY MR. MESEREAU: But you knew other
22 employees did, didn't you.
23 A. Well, I knew that they were becoming
24 demanding, yeah, but I don't really remember a
25 specific incident.
26 Q. Now, when you say you learned that they were
27 becoming demanding, could you tell the jury what you
28 mean. 2583

1 A. Well, every night we'd make dinner, and he
2 always wanted something other than what was made for
3 dinner.
4 Q. Who was this, now.
5 A. Star.
6 Q. Would make demands on you personally.
7 A. Yeah. They'd want certain kinds of foods
8 made at certain times. And usually it was chicken
9 noodle soup, which wasn't that difficult, but --
10 Q. Would you get upset at those demands.
11 A. Honestly, I got irritated sometimes because
12 of the demand. There was so much to do. There was
13 so much to do, and I -- when the kids got a little
14 ornery, it was -- it was a lot. It really was. It

15 was -- and I felt like there was no respect.
16 Q. And they seemed to sort of get very spoiled
17 there at some point, didn't they.
18 A. Yes.
19 Q. And weren't there complaints about their
20 throwing candy.
21 A. Yes.
22 Q. There were complaints about their throwing
23 objects from the amusement rides.
24 A. Yes.
25 Q. There were complaints from other employees
26 that they were almost acting like they owned the
27 place.
28 A. I don't remember that one, but I know that 2584

1 they were getting a little ornery.
2 Q. Do you remember their crashing carts.
3 A. All of them crashed the carts. I don't
4 remember specifically if they did or not.
5 Q. Okay. Okay. Now, did you ever learn that
6 they were caught with adult material.
7 MR. AUCHINCLOSS: 403 ruling.
8 MR. MESEREAU: I think the Court said I
9 could ask.
10 THE COURT: Overruled.
11 Q. BY MR. MESEREAU: Did you ever learn that.
12 A. No, I don't remember that.
13 Q. Did you ever learn that they were caught
14 masturbating in the unit.
15 A. No.
16 Q. Okay. Okay. You never had any discussion
17 with anyone about that.
18 A. No.
19 Q. Okay. Okay. Do you recall learning that
20 they had driven off the property at one point into
21 town.
22 MR. AUCHINCLOSS: Objection.
23 Q. BY MR. MESEREAU: Did you ever hear about
24 that.
25 MR. AUCHINCLOSS: Objection; foundation.
26 THE COURT: Overruled.
27 You may answer.
28 THE WITNESS: I know that they left with 2585

1 Chris Carter one time.
2 Q. BY MR. MESEREAU: You don't have any
3 knowledge of their going into town on their own, do
4 you.
5 A. No.
6 Q. Okay. Did you ever see the Arvizo family

7 riding around in a limousine.
8 A. I know that they were taken in the --
9 Mr. Jackson's vehicles sometimes, so --
10 Q. And when you say "Mr. Jackson's vehicles,"
11 please tell the jury what kind of vehicles you're
12 talking about.
13 A. A lot.
14 Q. Okay. No, what -- describe the vehicles, if
15 you would.
16 A. Rolls Royces. I know that he owns a
17 limousine. There's a black Navigator. So just
18 different cars.
19 Q. And it was -- was it your understanding that
20 these kids would demand that they be taken places in
21 those vehicles.
22 A. I didn't know about that.
23 Q. Okay. Did you see their mother very much.
24 A. No, not that much. She pretty much stayed
25 in her guest unit.
26 Q. Did you ever see her walking on the
27 premises.
28 A. Not really, no. 2586

1 Q. Ever see her at the theater.
2 A. Can't remember if I've seen her at the
3 theater or not.
4 Q. How about in the main house.
5 A. Yes.
6 Q. You've seen her in the main house a lot,
7 right.
8 A. Yeah, she would come in there and eat dinner
9 in there sometimes.
10 Q. And she'd be in there in the morning also,
11 wasn't she.
12 A. Usually I wasn't there that much in the
13 morning.
14 Q. Okay. Now, you've indicated, I think -
15 correct me if I'm wrong - that there were times you
16 cooked for the Arvizo family, right.
17 A. Did I cook for them. I don't remember.
18 Q. Do you remember Star pulling a knife on you
19 in the kitchen.
20 A. Yes.
21 Q. Approximately when did Star pull a knife on
22 you in the kitchen.
23 A. Do you mean about what month it was.
24 Q. Month or year, if you remember.
25 A. Well, it was during that time period
26 between -- I want to say it's, like, February. I
27 think.
28 Q. And when Star pulled a knife on you in the 2587

1 kitchen, were you preparing food.
2 A. I was doing the dishes.
3 Q. Okay. And was he trying to cook in the
4 kitchen.
5 A. Yes.
6 Q. That was against the rules, wasn't it.
7 A. Well, it's just not really wise to have a
8 child in there cooking with everybody, because it's
9 kind of -- plus, you know, you've got things that
10 you have to do, so you have to work also.
11 Q. Uh-huh.
12 A. So --
13 Q. Now, the prosecutor for the government asked
14 you questions about where the key to the wine cellar
15 was supposed to be, right.
16 A. Yes.
17 Q. And I believe you indicated it was supposed
18 to be in a safe.
19 A. Yes.
20 Q. But you don't know if there were periods of
21 time when it was out of that safe, do you.
22 A. No.
23 Q. Were you often in the wine cellar.
24 A. Not often, but I've been down there.
25 Q. Okay. And could you please describe for the
26 jury what the wine cellar looks like.
27 A. It's kind of like a cave in some ways, I
28 want to say. It's got rock walls. And it's kind of 2588

1 like walking into, like, a basement or a cellar.
2 And it's got a main room, and there used to be a
3 table in there. And they have -- there's wine on
4 the wall. And there's like another area with, like,
5 a little sink and a refrigerator and a freezer in
6 there, too. And there's hard liquor in the cabinet
7 in the wine cellar where the kitchen is.
8 Q. Sometimes that wine cellar was open, wasn't
9 it.
10 A. Yes.
11 Q. You found it open, didn't you.
12 MR. AUCHINCLOSS: Objection; vague as to
13 time.
14 MR. MESEREAU: I'll rephrase, Your Honor.
15 THE COURT: All right.
16 Q. BY MR. MESEREAU: During the time you worked
17 at Neverland, you sometimes found that wine cellar
18 open, didn't you.
19 A. Yes.
20 Q. Now, it wasn't your responsibility to keep
21 it locked, was it.

22 A. No.
23 Q. Okay. And isn't alcohol kept in the
24 kitchen.
25 A. Yes. But on the wine cellar, it wasn't our
26 responsibility to keep it locked. But when we left,
27 you know, we locked it. We didn't leave it open, I
28 mean, if we went down there for a purpose. 2589

1 Q. But there certainly were many times, for
2 whatever reason you happened to be in that area, and
3 saw that it was open, right.

4 A. Yes. If you went down there and checked the
5 door, yeah.

6 Q. Yes. Okay. Were you at -- excuse me. Let
7 me rephrase that.

8 Were you working at Neverland during the
9 period of, say, February 1st, 2003, to March 12th,
10 2003.

11 A. Yes.

12 Q. Were you working full time.

13 A. Yes.

14 Q. Were you going to college then.

15 A. Yes.

16 Q. And during that period of time how often
17 would you go to college.

18 A. I think it was three days a week.

19 Q. So would you be following the schedule that
20 you defined a little earlier in our questioning.

21 A. The radical schedule. Yeah, I would come in
22 later. I would come in late because that way I
23 could get my kids off to school and sleep a little
24 bit, too, so that way I could do the late shift
25 again.

26 Q. And it was a 45-minute drive into town to go
27 to school.

28 A. Uh-huh. 2590

1 Q. And a couple hours at school and then 45
2 minutes back, right.

3 A. Yes.

4 Q. Okay. And then you would do your homework
5 during the schedule you talked about earlier, right.

6 A. Yeah, here and there.

7 Q. Okay. Okay. You have people at Neverland
8 who were in charge of security, right.

9 A. Yes.

10 Q. And about how many people are employed at
11 Neverland who are involved in security.

12 A. There used to be a lot more. But I don't
13 know. Like when I left, I want to say like seven,

14 eight, something like that.
15 Q. Okay. Now, at one point you said that
16 towards the end of their stay at Neverland -- excuse
17 me, let me rephrase that.
18 Toward the end of the Arvizos' stay at
19 Neverland, you noticed that Gavin and Star's room
20 was consistently messy, right.
21 A. Yes.
22 Q. And that's the room in the guest quarters,
23 right.
24 A. Yes.
25 Q. When you say "towards the end," what do you
26 mean.
27 A. Before they didn't come back, really.
28 Q. Would that have been, say, a week before 2591

1 they didn't come back. Two weeks.
2 A. Two weeks probably.
3 Q. So approximately two weeks before the
4 Arvizos left for good, you noticed that Gavin and
5 Star's room was consistently messy, right.
6 A. Yes.
7 Q. And that indicated to you that they were
8 staying in that room, right.
9 MR. AUCHINCLOSS: Objection; calls for a
10 conclusion.
11 THE COURT: Overruled.
12 You may answer.
13 THE WITNESS: I thought they were. But I
14 don't know if they were or not.
15 Q. BY MR. MESEREAU: But there was a period
16 where you would often not see their rooms a mess,
17 right.
18 A. Yes. I mean, they were sloppy. But towards
19 the end, their room was just -- things were broken
20 and it was -- it was a mess.
21 Q. Now, during this last couple of weeks that
22 they were at Neverland, when you say their room was
23 a mess, what did you do when you discovered this.
24 A. I was with Maria one time and -- when we
25 discovered it, and we decided to talk to the house
26 manager and let him know, because it was getting
27 really bad.
28 Q. And during those last two weeks that the 2592

1 Arvizos were at Neverland, what specifically did you
2 notice about Gavin and Star's room.
3 A. That it was just torn apart.
4 Q. They really trashed it.
5 A. Yeah.

6 Q. Please tell the jury how they trashed it, if
7 you know.
8 A. I can't say for sure what had happened, but
9 there was things spilled. There was glasses broken.
10 The refrigerator was a mess, too. Every unit has
11 its own refrigerator, and it was -- it just looked
12 like somebody had just gone in there like a tornado
13 and -- like a whirlwind.
14 Q. Did you ever talk to Gavin or Star about
15 that.
16 A. No, I don't think I did.
17 Q. Okay.
18 A. Because it wasn't my place to.
19 Q. Was it your responsibility simply to clean
20 it.
21 A. Yes.
22 Q. And you said you made a complaint to
23 somebody.
24 A. Yes.
25 Q. Who did you make a complaint to.
26 A. The house manager.
27 Q. And who was that.
28 A. Jesus Salas. 2593

1 Q. Okay. Did you tell Jesus Salas that they
2 had broken things in the guest unit.
3 A. Maria was with me, and I think he even came
4 in and saw the mess. I can't remember for sure.
5 But I know that he -- somehow he knew about it.
6 Q. And was their bedroom a complete mess.
7 A. Yes.
8 Q. Was the bed a mess.
9 A. Yes.
10 Q. What was broken.
11 A. There was some glasses in the rooms that
12 they have. Every room has a couple of glasses in
13 it, and some wine glasses and that kind of thing,
14 and the glasses were broken.
15 So I don't remember which glass in specific
16 it was, but there was broken glass, and there was no
17 attempt to clean up the mess.
18 Q. Was anything else wrong with their room
19 during those last two weeks the Arvizos were at
20 Neverland.
21 A. Not anything else that I can think of. Just
22 about how -- how it was just -- there was no care as
23 to how the room was kept. It was like that.
24 Q. So the bed was a mess, right.
25 A. I remember -- if memory serves me correct,
26 yes.
27 Q. The chairs were a mess.
28 A. The furniture was moved, yes. 2594

1 Q. Was there garbage around.
2 A. Yes.
3 Q. Broken glass around.
4 A. Yes.
5 Q. Did it look like furniture had been damaged
6 to you.
7 A. I don't know if it had been damaged, but it
8 had been moved.
9 Q. Was there food around.
10 A. Yes.
11 Q. Did it look like they'd spilled drinks
12 around.
13 A. Yes.
14 Q. How about the bathroom. Did they make a
15 mess out of the bathroom.
16 A. I think the door was shut.
17 Q. Okay. All right. Did you ever mention any
18 of this to their mother Janet.
19 A. No.
20 Q. All right.
21 A. It wasn't my place.
22 Q. Okay. So you didn't think it was your
23 responsibility to talk to them about this, right.
24 A. No.
25 Q. You just felt it was your responsibility to
26 clean it, and report it, right.
27 A. I just thought it might be good for somebody
28 to know what was happening. 2595

1 Q. Okay. And you didn't ever directly report
2 this to Michael Jackson, right.
3 A. No.
4 Q. You just reported it to the person in the
5 chain of employment that you were supposed to report
6 to.
7 A. Yes.
8 Q. Okay. Did you discuss it with anyone else
9 besides Jesus Salas.
10 A. Maria.
11 Q. And who is Maria.
12 A. Maria Gomez, another housekeeper.
13 Q. And do you know if she did anything about
14 it.
15 A. Well, like I said, I think that it was she
16 and I together that went and told Jesus.
17 Q. Okay. Together you did that.
18 A. Yeah, I believe it was together, because I
19 remember being in the room with her also when -- I
20 think we went to go clean it together.

21 Q. Okay. Was your complaint an oral complaint,
22 or was it in writing.
23 A. No, it was verbal.
24 Q. Okay. To your knowledge, did Jesus Salas do
25 anything about it.
26 A. I don't know what he did.
27 Q. Okay. Did you just make one complaint.
28 A. Yes. 2596

1 Q. All right. Now, I mentioned security at
2 Neverland. There was a lot of concern about
3 security at Neverland, wasn't there.
4 A. Yes.
5 Q. You yourself, for example, were worried
6 about Michael Jackson's fans, right.
7 A. Yes.
8 Q. You told the sheriffs you were worried about
9 his sicko fans coming onto the property and being a
10 threat to people, right.
11 A. Only some of them.
12 Q. Only some of them.
13 A. Yes. Not all fans are sicko.
14 Q. No, I didn't mean that.
15 (Laughter.)
16 Q. BY MR. MESEREAU: But you were worried about
17 the fact that Mr. Jackson is so popular around the
18 world that, as you described it, sicko fans could
19 provide a security threat, right.
20 A. Well, yeah, there was one incident that
21 stood out in my mind about a fan that was quite
22 unstable, would seem to me. And people like that
23 don't really make me feel comfortable.
24 Q. And did this person try to get on the
25 property.
26 A. Many of them have, yes. Actually, one of
27 them did. A couple of them did.
28 Q. And what happened. 2597

1 A. Well --
2 MR. AUCHINCLOSS: I'll object as to
3 relevancy and time.
4 THE COURT: Sustained.
5 Q. BY MR. MESEREAU: The property at Neverland
6 is approximately 2800 acres, right.
7 A. Yes.
8 Q. You have fence around the property for the
9 most part, don't you.
10 A. Split rail fence, I think it's called.
11 Q. Split rail fences that actually a child
12 could almost get in and out if they wanted, right.

13 A. Yes.
14 Q. When you say "split rail," you mean
15 essentially a wooden post and a couple of wooden
16 rails, right.
17 A. Yes.
18 Q. Adults or children typically could go in or
19 out if they wanted, right.
20 A. Yes.
21 Q. And very close to those split rail fences
22 are roads, right.
23 A. Yes.
24 Q. Roads where cars speed back and forth,
25 right.
26 A. Yes.
27 Q. You've got houses on Figueroa Road right
28 across from Neverland, don't you. 2598

1 A. A school is, yes.
2 Q. There's a school. And the school isn't far
3 from those split rail fences, is it.
4 A. No.
5 Q. And would it be fair to say that children at
6 Neverland could easily go through a fence onto a
7 road where cars are speeding.
8 A. Well, it's a long ways from the main house,
9 but --
10 Q. It could happen, couldn't it.
11 A. If you kept walking, yes.
12 Q. Are you aware of any moments when children
13 from the school tried to get into Neverland.
14 A. No, I'm not familiar with any of those.
15 Q. Okay. To your knowledge, do the security
16 people sort of travel around the perimeter of
17 Neverland once in a while, just to make sure
18 nobody's on the property when they shouldn't be.
19 A. Well, I know that they make perimeter
20 checks, and they would check around the property and
21 make sure that there's no parked cars or that kind
22 of thing out on the property, and then go all
23 throughout the whole property, too.
24 Q. But typically when somebody enters
25 Neverland, they go to a closed gate, right.
26 A. Yes.
27 Q. And they stick their arm out of the car and
28 push a button, right. 2599

1 A. Oh, to get into the front gate.
2 Q. Yes.
3 A. Yes.
4 Q. And they then hear, through an intercom, a

5 voice asking who they are, right.

6 A. Yes.

7 Q. And then if they're permitted in, these
8 wooden gates open and they can drive in, right.

9 A. Yes.

10 Q. But wouldn't you agree that not too far away
11 from that entrance are those split rail fences.

12 A. Well, it's right next to it, yes.

13 Q. And realistically, if children wanted to go
14 in or out, or run across the road or dart across the
15 road, there's always a danger of that, isn't there.

16 A. Yeah, if they wanted to get out from the
17 fence, they can. There's no question of that.

18 Q. How many children go to the school across
19 the street, if you know.

20 A. I think a couple hundred.

21 Q. And has that school been there during the
22 time that you've worked at Neverland.

23 A. Yes.

24 Q. Okay. Do you remember Michael Jackson
25 having a blood drive at Neverland in approximately
26 December of 2002.

27 A. I remember there was a blood drive for
28 Gavin, but I don't remember when. 2600

1 Q. Would it refresh your recollection if I just
2 show you a police report on that with a date.

3 A. Sure.

4 MR. MESEREAU: May I approach, Your Honor.

5 THE COURT: Yes, you may.

6 MR. AUCHINCLOSS: May I see it, Counsel.

7 THE WITNESS: I think it was donated, but I
8 don't remember right now. I probably guessed right
9 there, around about, but I can't say for sure right
10 now.

11 MR. MESEREAU: Okay.

12 Q. I have to ask you a few questions that I'm
13 required to ask.

14 A. Okay.

15 Q. Have you had a chance to review that page of
16 the police report.

17 A. Yes, that section.

18 Q. And does it refresh your recollection about
19 when this blood drive may have occurred.

20 A. No, I'm sorry.

21 Q. Do you think it was 2002.

22 A. No, I don't, because Gavin came back, and
23 when he came back, I hardly recognized him, because
24 he looked so much better. Because before, he was so
25 thin and so frail. So I joked around about that
26 with him, but I don't think it was in December of
27 2002 when the blood drive was.

28 Q. When do you think it was, if -- if you know. 2601

1 A. I don't remember. I really don't.

2 Q. Were you involved in that blood drive.

3 A. No. They needed O negative blood, not AB.

4 I thought it was O negative.

5 Q. But your understanding was that Michael

6 Jackson had organized a blood drive for Gavin at

7 Neverland, right.

8 A. Yeah, he did.

9 Q. Were you involved in helping set that up.

10 A. No. I remember I had school at that time,

11 too, so I couldn't be there for that.

12 Q. Were you there for any of that blood drive.

13 A. No.

14 Q. To your knowledge, were other employees at

15 Neverland participating in helping set up a blood

16 drive.

17 A. I don't know if the employees did or not,

18 but, I mean, I'm sure they probably made food for

19 the people to eat, and the employees would have

20 helped that way, and set up the tent and got

21 utensils to eat and that kind of thing.

22 Q. So there was a tent set up for the blood

23 drive for Gavin.

24 A. I believe so, if I remember correctly. Not

25 that I saw it, but I heard.

26 THE COURT: Counsel, let's take our break.

27 MR. MESEREAU: Yes, Your Honor.

28 (Recess taken.) 2602

1 THE COURT: Counsel.

2 MR. MESEREAU: Thank you, Your Honor. Oops.

3 Thank you, Your Honor.

4 Q. Are you enjoying this.

5 A. Yes.

6 Q. Okay. We'll keep going, then.

7 All right. When you first started working

8 at Neverland, did you go through a training-type

9 program.

10 A. My supervisor trained me.

11 Q. And who was that.

12 A. Gayle Goforth.

13 Q. Okay. And what did the training consist of.

14 A. Just taking me around and showing me what my

15 duties would be.

16 Q. Okay.

17 BAILIFF CORTEZ: They can't hear.

18 THE WITNESS: Is that better.

19 MR. MESEREAU: Pardon me.

20 BAILIFF CORTEZ: That's fine.
21 Q. BY MR. MESEREAU: Okay. And has your job
22 changed during the time you were working at
23 Neverland.
24 A. Basically stayed the same.
25 Q. Okay. Did you go through any other training
26 programs while you were at Neverland.
27 A. We did CPR training.
28 Q. Okay. 2603

1 A. Otherwise not for the job, no, not that I
2 can think of.
3 Q. Okay. You were interviewed by the Santa
4 Barbara sheriffs a couple of times, right.
5 A. Yes.
6 Q. And they asked you if you were aware of the
7 Arvizos feeling that they were confined at Neverland
8 and couldn't leave. Do you remember that
9 discussion.
10 A. Yes.
11 MR. AUCHINCLOSS: Objection; hearsay.
12 THE COURT: I don't remember that discussion.
13 You asked her, but -- I'll sustain the objection.
14 Q. BY MR. MESEREAU: Do you recall, in your
15 interview with the Santa Barbara Sheriffs,
16 discussing the question of whether or not the
17 Arvizos were free to leave Neverland.
18 A. Yes.
19 Q. But you basically laughed at the idea,
20 didn't you.
21 MR. AUCHINCLOSS: Objection. Calls for a
22 conclusion; no foundation
23 THE COURT: Argumentative. It's sustained.
24 Q. BY MR. MESEREAU: Didn't you tell the
25 sheriffs, "How hard is it to leave. Just walk".
26 MR. AUCHINCLOSS: Objection. It's
27 argumentative; calls for a conclusion.
28 THE COURT: Overruled. 2604

1 You may answer. Do you want that question
2 read back.
3 THE WITNESS: Yes, sir, please.
4 (Record read.)
5 THE WITNESS: Yes, something along those
6 lines.
7 Q. BY MR. MESEREAU: Okay. And in your
8 opinion, the idea that they would be confined,
9 confined at Neverland, is ridiculous, right.
10 MR. AUCHINCLOSS: Objection. Argumentative;
11 calls for a conclusion; no foundation.

12 THE COURT: Sustained.
13 Q. BY MR. MESEREAU: In your police interview,
14 or, excuse me, one of them -- actually, it's the
15 sheriffs. In your sheriffs' interview, you
16 described the Arvizo children as destructive, didn't
17 you.
18 A. Yes.
19 Q. You were asked questions about Mr. Jackson's
20 relationship with the Cascio family in your
21 sheriffs' interview, right.
22 A. I can't remember, but I'm sure you'll tell
23 me if I did.
24 Q. And you indicated that Michael was a close
25 friend of the entire family, right.
26 A. Yes.
27 Q. Including the parents and the children, the
28 boys and the girl, right. 2605

1 A. Yes.
2 Q. Okay. Now, the prosecutor for the
3 government asked you some questions about other
4 young boys, as he put it, that Mr. Jackson knew
5 through the years, right.
6 A. Yes.
7 Q. And would you agree that, like most people,
8 Mr. Jackson sometimes became a closer friend of some
9 families rather than others, correct.
10 A. Yes.
11 Q. And the so-called "young boys" the
12 prosecutor referred to would come with their
13 families, correct.
14 A. Yes.
15 Q. In fact, Jimmy Safechuck was married at
16 Neverland, wasn't he. Do you remember that.
17 A. I didn't even know he was married.
18 Q. Okay. McCaulay Culkin's family would come,
19 right.
20 A. Yes.
21 Q. Did it seem -- let me rephrase that.
22 You've said that during the time you've
23 worked at Neverland, thousands of children have
24 visited, right.
25 A. Yes.
26 Q. But certainly there are families that
27 Michael Jackson, in your opinion, was closer to --
28 A. Yes. 2606

1 Q. -- than others, right.
2 A. Yes.
3 Q. There are friendships he's developed through

4 the years which seem to have lasted for many years,
5 correct.
6 A. Yes.
7 Q. And like any other human being, some
8 families would visit periodically, rather than
9 others, right.
10 A. Yes.
11 Q. There would be many celebrity-type visitors
12 to Neverland from time to time, right.
13 A. Yes.
14 Q. You would see the Brandos.
15 A. Yes.
16 Q. Who else would you see.
17 A. Elizabeth Taylor. Chris Tucker. I think
18 Chris Rock was there. I don't know the names of the
19 basketball players.
20 Q. And did the people you just identified seem
21 to be close friends of Michael Jackson.
22 A. I wouldn't -- as far as I could say, I don't
23 think that all of them were close friends, but some
24 of them were, I think.
25 Q. And from time to time, there would be
26 various functions at Neverland, right.
27 A. Yes.
28 Q. And, for example, you would see tents put up 2607

1 for a special event, right.
2 A. Uh-huh.
3 Q. Please tell the jury what special events you
4 recall seeing at Neverland.
5 A. Weddings, birthday parties, that kind of
6 things.
7 Q. Would you get involved in those events.
8 A. Serving and cleaning, yes.
9 Q. Okay. Okay. Is that something you looked
10 forward to.
11 A. No. I still don't.
12 Q. All right.
13 (Laughter.)
14 Q. BY MR. MESEREAU: Would it typically vary
15 from month to month how many functions, as you
16 described, would take place.
17 A. Yes, it would vary.
18 Q. And sometimes you would have hundreds of
19 visitors for these functions, right.
20 A. Yes.
21 Q. And where would all these people park.
22 A. They would park down by the amusement park.
23 It depends on where the tent was set up. Or they
24 would park in front of the gates that are inside
25 Neverland with a big sign that says "Neverland" over
26 it. There's a new parking lot there.

27 Q. And would you agree that most people who
28 visit Neverland like to walk through the main house, 2608

1 don't they.

2 A. Walk through the main house.

3 Q. If they can.

4 A. Yes.

5 Q. They like to see all the artwork and the
6 antiques and the way Michael Jackson has decorated
7 his home, correct.

8 A. Yes.

9 Q. And isn't it typical that visitors will make
10 a request, "Can we see the main house."

11 A. Sometimes they have, yes.

12 Q. And is it your understanding that quite
13 often Mr. Jackson will allow someone to take them
14 through.

15 A. Yes.

16 Q. He allows that a lot, doesn't he.

17 A. Yes.

18 Q. Sounds like you don't think he should,
19 right.

20 A. No.

21 Q. Do you think he's too nice to a lot of
22 people who visit Neverland.

23 A. Sometimes, yes, I -- sometimes I got a
24 little concerned, but it's not my place.

25 Q. Okay. You thought he was being too generous
26 and nice to visitors, right.

27 A. Yes. And sometimes -- yes.

28 Q. Okay. When did you notice the Arvizo 2609

1 children becoming so destructive.

2 A. Towards the end of their stay, in the
3 beginning of 2003.

4 Q. The beginning of 2003.

5 A. Yeah, towards the end of their stay in the
6 beginning, 2003.

7 Q. Did you make any complaints other than the
8 one you just described.

9 A. Not that I can remember, no.

10 Q. Okay. Okay. Now, I was asking you a
11 question, and I think I got sidetracked a little
12 bit. It had to do with the availability of alcohol
13 in the kitchen. Remember that question.

14 A. Yes.

15 Q. And isn't alcohol found in the kitchen from
16 time to time.

17 A. Yeah, I think by the sink to the left, there
18 was a cabinet that did have some alcohol in it.

19 Q. And that generally wasn't locked, right.
20 A. No.
21 Q. Would you find alcohol once in a while in
22 the refrigerator unit, you know, with the
23 see-through glass.
24 A. Yes. We would put that in there.
25 Q. Going back to these functions that go on at
26 Neverland, sometimes Mr. Jackson isn't even there,
27 right.
28 A. Yes, sometimes he's not there. 2610

1 Q. So there will be a function for hundreds of
2 people, there will be a tent, there will be staff,
3 there will be food, there will be parking
4 privileges, and Mr. Jackson won't even be at
5 Neverland, right.
6 A. Yeah, that's right.
7 Q. Now, you never saw Mr. Jackson give alcohol
8 to a minor, did you.
9 A. No.
10 Q. And when you said that you saw three kids at
11 the table one time that you were concerned might be
12 intoxicated, you never saw Mr. Jackson give them
13 anything.
14 A. No.
15 Q. Now, are you aware -- excuse me. Let me
16 just limit this to a time period. Let's say 2002,
17 2003. You were aware that Mr. Jackson had some
18 medical problems from time to time, correct.
19 A. Yes.
20 Q. And you would see his doctor, for example,
21 come to Neverland once in a while, right.
22 A. Yes.
23 Q. And you were aware that he needed
24 injections.
25 A. Yes.
26 Q. And he would, at times, have a reaction to
27 those injections; do you remember that.
28 MR. AUCHINCLOSS: Objection; foundation. 2611

1 THE COURT: Sustained.
2 Q. BY MR. MESEREAU: When you said -- you used
3 the term "Pinnocchio's Pleasure Island" in response
4 to the government prosecutor. Were you suggesting
5 that you thought Michael Jackson himself should
6 supervise kids more personally.
7 A. No, I don't think that he should. I mean,
8 how could he supervise that many children. There
9 needed to be more people to supervise them, or their
10 parents.

11 Q. So were you -- excuse me. Let me rephrase
12 it. Were you meaning to be a little more critical
13 of their parents when you talked about kids being
14 out of control.

15 A. Well, yes, that too. Because some kids --
16 I mean, well, some parents won't discipline even
17 their own children, so sometimes the parents didn't
18 even help. But I think it's just sometimes the
19 character of the person, too, because some of them
20 were just crazy.

21 Q. Yeah. Did you ever voice your concerns that
22 parents should be paying more attention to their
23 kids at Neverland.

24 A. I might have, over the years, to some of my
25 co-workers. But I can't think of anything right
26 now.

27 The thing that really worried me that I can
28 say that I thought about, too, is that there's a 2612

1 lake there. And I worried more about the lake than
2 I did about the pool. If you leave these children
3 unsupervised, I mean, they could fall in the lake.
4 And that's just always what concerned me more.

5 Q. And you would see lots of children that you
6 thought should be better supervised at Neverland
7 during periods when Michael wasn't even there,
8 right.

9 A. Yes.

10 Q. And your understanding was he had allowed
11 people to bring children to Neverland, enjoy the
12 premises, and when he wasn't even around, right.

13 A. Yes.

14 Q. When that would happen, was it your
15 understanding that Mr. Jackson was relying on the
16 Neverland personnel to try and supervise or keep
17 control.

18 MR. AUCHINCLOSS: Objection. Foundation.

19 Personal knowledge as to what Mr. Jackson knew.

20 THE COURT: Overruled.

21 You may answer.

22 THE WITNESS: I'm sorry, could you say that
23 again.

24 MR. MESEREAU: Yes.

25 Q. When large numbers of children would visit
26 Neverland with whoever came with them --

27 A. Uh-huh.

28 Q. -- and Mr. Jackson was not there, was it 2613

1 your understanding that Neverland staff or employees
2 were supposed to supervise.

3 A. Yes, to some degree. And sometimes there
4 was some children that got really out of control.
5 Like, for instance, I think sometimes we would put
6 the golf carts away or put the quads away, because
7 some of them just -- they would probably have been a
8 danger to themselves. So in that way, we did take a
9 little bit more authority, probably, than we should
10 have sometimes, but --
11 Q. When you say you would take authority, do
12 you mean that you would sort of, in your mind,
13 substitute for a parent almost.
14 A. Yeah. Sometimes, I think, yes.
15 Q. And are you talking about situations where,
16 say, a lot of kids would come on buses, say, from
17 the inner city, and in your opinion there would be
18 too few adults taking care of them.
19 A. Typically those seemed to be better
20 supervised than the kids that were left at Neverland
21 without their parents.
22 Q. Right.
23 A. Because if Mr. Jackson wasn't there and
24 their parents weren't there, it kind of would fall
25 on us, and --
26 Q. Okay. Were there rules and procedures in
27 effect at Neverland.
28 A. Somewhat, yes. 2614

1 Q. And were they written up, to your knowledge.
2 A. As far as -- well, there was an employee
3 handbook.
4 Q. And to your knowledge, did the employee
5 handbook discuss what to do in situations where you
6 had visitors.
7 A. I can't remember. Sorry.
8 Q. When is the last time you looked at that
9 handbook.
10 A. Probably '92, '93.
11 Q. Okay. That was quite a while ago. All
12 right.
13 Now, in your interviews with the Santa
14 Barbara Sheriffs, you often described Mr. Jackson as
15 acting like a big kid.
16 A. Yes.
17 Q. But he seemed to enjoy playing with kids,
18 right.
19 A. Yes.
20 Q. He seemed to enjoy the whole spirit of
21 Neverland being to have fun with kids, right.
22 A. Yes, the whole thing of eating too much
23 candy and riding the rides to get sick.
24 Q. Did you see Mr. Jackson do that.
25 A. No, I'm not saying that he did that, but I'm

26 saying that's the idea.
27 Q. Did you see Mr. Jackson eat a lot of candy.
28 A. Sometimes. 2615

1 Q. How about on the rides.
2 A. No, I didn't see that.
3 Q. When did you last work at Neverland.
4 A. September of 2003.
5 Q. Okay. So you worked for, what, 12 years or
6 so.
7 A. Off and on, yeah.
8 Q. Off and on.
9 A. Off and on.
10 Q. Okay. You never saw the Arvizo kids look
11 like they were intoxicated, did you.
12 A. No. I don't remember them specifically
13 being intoxicated. I don't.
14 Q. You don't remember you looking at their
15 behavior and saying to yourself, "They look
16 intoxicated to me," right.
17 A. Yeah, no, they --
18 Q. That never happened, right.
19 A. No, I didn't really ever pay attention.
20 Q. Okay.
21 A. So I don't know.
22 Q. But just based on the times you were there,
23 and the work you did and what you saw, you don't
24 recall ever seeing Gavin Arvizo, Star Arvizo, or
25 Davellin Arvizo intoxicated, right.
26 A. Well, like when Star put the knife in my
27 back, I mean, was he intoxicated. I don't know.
28 Was he just playing around. I don't know. So -- 2616

1 Q. Let me just rephrase it, then.
2 To the best of your knowledge, during the
3 time you observed the Arvizo children at Neverland,
4 you never thought they were intoxicated, right.
5 A. I didn't think so, no.
6 Q. Okay. Did you ever, in your mind, smell
7 alcohol on the Arvizo kids.
8 A. No. I never paid attention.
9 Q. Okay. Now, you mentioned a party in August
10 of 2003, right.
11 A. Yes.
12 Q. And that had something to do with Schaffel,
13 right.
14 A. Yes.
15 Q. Was it your understanding that Schaffel
16 hired special staff for that party.
17 A. I knew that he was doing something with it.

18 If he hired somebody, I don't remember. But I know
19 that there was a lot of volunteers working there.
20 Q. People that normally didn't work at
21 Neverland.
22 A. Yes.
23 Q. Okay. And was it your understanding that
24 Schaffel was trying to promote a particular artist.
25 A. I don't know that.
26 Q. You don't know what the purpose of the party
27 was, right.
28 A. It was a birthday party, and I didn't quite 2617

1 ever figure it out.
2 Q. Okay. You don't know if Schaffel, for
3 example, was promoting tickets on radio stations in
4 Los Angeles, do you.
5 A. No. But I remember a radio station being
6 there, I think, yeah. But I don't know what the
7 whole purpose was.
8 Q. Was it a Los Angeles radio station, if you
9 know.
10 A. I can't remember.
11 Q. Okay.
12 A. I think it was, though, when I think back.
13 I want to say it was KISS FM, but I'm not sure.
14 Q. Was it your understanding that more people
15 showed for that party than the staff at Neverland
16 anticipated.
17 A. Yes. That was typical.
18 Q. Typical of parties.
19 A. Yes.
20 Q. Now, when you're planning a party -- excuse
21 me, let me rephrase that.
22 When a party is going to take place at
23 Neverland, how does the word get out to the staff.
24 A. It depends on how big it is or if there's
25 going to be a caterer. I mean, there's -- there's
26 different ways that we would find out.
27 Q. Is a memorandum, for example, a memo --
28 A. Yes. 2618

1 Q. -- typically generated.
2 A. Not -- I don't want to say "typically," but
3 it has been, or else it was communicated verbally
4 from a supervisor.
5 Q. And would a supervisor typically come to
6 someone like you and say there's going to be a big
7 event on such and such a date at such and such a
8 time.
9 A. Yes.

10 Q. And would you be asked to contribute in some
11 way.
12 A. Yes.
13 Q. And were your jobs at these events typically
14 the same or did you have different things to do,
15 depending on the event.
16 A. Cleaning and serving.
17 Q. Okay. And where would all the food
18 typically be cooked.
19 A. It depends on if there was a caterer or not.
20 Sometimes it could be done at the barbecue area.
21 Sometimes in the kitchen. Or if there's a caterer,
22 they could cook it outside. Or there was a barbecue
23 out by the theater. So there was different places.
24 Q. Do you remember, in February of 2003, a
25 number of entertainment executives from New York
26 visited Neverland.
27 A. Oh, guy, I remember there was some special
28 guests, but I don't remember who. 2619

1 Q. Do you remember Ed Bradley from --
2 A. 60 Minutes.
3 Q. Yeah.
4 A. Yes.
5 Q. You do remember him coming.
6 A. Yes.
7 Q. Do you know approximately when that was.
8 A. No. I can't say. I think it was after the
9 documentary aired.
10 Q. Do you know if the Arvizos were visiting at
11 that point in time.
12 A. I think they were.
13 My stomach's growling. I'm sorry.
14 (Laughter.)
15 JUROR NO. 8: Do you want some candy. Do
16 you want some.
17 THE WITNESS: I have some. Thank you.
18 BAILIFF NARRON: You can't do that, ma'am.
19 Q. BY MR. MESEREAU: Did you speak to Mr.
20 Bradley.
21 A. No, I don't think he spoke directly to me.
22 Q. Okay. Do you remember who he was with.
23 A. Other camera people. The crew. I think
24 there was some other -- somebody else from
25 60 Minutes that was there, too.
26 Q. Did you ever meet a Mr. Jack Sussman, for
27 example.
28 A. I can't remember. 2620

1 Q. Okay. Did you see Mr. Bradley walking

2 around the property.

3 A. I remember him being in the kitchen. And I
4 remember serving him lunch or setting out the food,
5 a buffet for them.

6 Q. And where was the buffet.

7 A. In the kitchen, on the -- what do you call
8 it. A bar.

9 Q. So Mr. Bradley and whoever he was with were
10 in the main house, right.

11 A. Yes.

12 Q. And you don't know what time of day they
13 were in there, do you.

14 A. No, but I want to say it was 11:00, 12
15 o'clock, something like that, 1:00.

16 Q. Okay. And one of your responsibilities was
17 to prepare a meal for them.

18 A. No, I didn't have to cook it. I would just
19 have to help serve it and -- yeah.

20 Q. And were they eating at the main dining
21 table.

22 A. Um, I think -- I know they ate in the
23 kitchen. And they might have eaten at the dining
24 table also, but I don't remember.

25 Q. Okay. Do you recall Gavin and Star Arvizo
26 visiting Neverland with their father David.

27 A. You know, in the back of my mind, I do. But
28 I don't remember anything specific about them being 2621

1 there.

2 Q. Okay. Do you have more of a memory of their
3 being there with their mother.

4 A. Yes.

5 Q. And your memory of the Arvizo children being
6 at Neverland with their mother is in primarily 2003;
7 is that right.

8 A. Yes.

9 Q. Do you recall if you observed Janet Arvizo
10 supervising her children while they were staying at
11 Neverland.

12 A. What do you mean by "supervising".

13 Q. Well, do you recall if Janet was -- appeared
14 to be keeping tabs on her children at Neverland.

15 A. She stayed in her room a lot.

16 Q. But you said you would see her in the main
17 house, right.

18 A. Yeah, when she went to go eat, or pick up
19 her clothes from the laundry room, or --

20 Q. Would you see her in the main house with her
21 children.

22 A. Yes.

23 Q. Did you see her in the main house with her
24 children often.

25 A. In the evenings she would mostly be there.
26 Q. In the main house.
27 A. Yes.
28 Q. Okay. And what would you see Janet Arvizo 2622

1 doing in the main house in the evenings at Neverland
2 during 2003.

3 A. Eating dinner. Sitting with the kids.
4 Playing a game that was on the counter in the
5 kitchen. Just being with the kids.

6 Q. As best you can recall, would you see her
7 spend hours in the main house at night.

8 A. I don't want to say "hours," but she'd
9 probably spend a couple hours there. I was always
10 so busy working, I didn't really pay attention to
11 what really the guests were doing.

12 Q. Did Janet Arvizo, in your opinion, tend to
13 have her evening meal in the main house.

14 A. As far as I can remember, yes, is what I
15 would say, yes.

16 Q. And would she typically eat with her
17 children.

18 A. I don't want to say typically eat with them,
19 because they might eat at different times.

20 Q. But I guess what you're saying is, you
21 served her quite often, didn't you.

22 A. Yes.

23 Q. Now, in the main house, when a guest comes
24 to eat, there often is a menu on a blackboard,
25 right.

26 A. Yes.

27 Q. And the menu will say what's being served
28 that day, right. 2623

1 A. Yes.

2 Q. And it could be breakfast, lunch or dinner,
3 right.

4 A. Yes.

5 Q. And was it your understanding that Janet
6 Arvizo would decide each day what type of food she
7 wanted.

8 A. Well, if it wasn't written on the
9 blackboard, you know, the chefs or we would tell
10 them what we had for dinner that night.

11 Q. And while the Arvizos were there, they would
12 essentially give you their order, right.

13 A. Yes, I remember taking the order from the
14 Arvizo kids at the dining room table. More often
15 than not, they would eat in there. For a while,
16 anyway.

17 Q. When you saw the Arvizo kids eating with
18 their mother, was there often anyone else at the
19 dining -- excuse me. Let me rephrase that.
20 When you would observe the Arvizo children
21 eating with their mother in the main dining room,
22 did you often see Michael there.
23 A. No, not typically.
24 Q. Would you typically see someone else having
25 dinner with them.
26 A. With the Arvizo kids.
27 Q. Yes.
28 A. Well, the Cascio kids were there for a while 2624

1 when the Arvizos were there, and they would all eat
2 dinner at the dining room table. And Gavin's mom
3 wouldn't be at the dinner table, and neither would
4 Mr. Jackson, for a while there.

5 Q. And where would you -- excuse me. Where
6 would Janet Arvizo typically eat if she wasn't at
7 the dining room table.

8 A. At the table in the kitchen area, or like at
9 the bar.

10 Q. Would you please describe for the jury what
11 you mean by "the bar" area.

12 A. It's just a place where you have like
13 barstools, where you have the long counter, and
14 there's just barstools sitting there. And it has an
15 arch with bricks over it, and it's right there by
16 the kitchen.

17 Q. That bar area is not far from the main
18 dining room, right.

19 A. No, it's not too far.

20 Q. And typically if you go there any time of
21 day, you see some seats at the bar area, right.

22 A. Uh-huh.

23 Q. And 24 hours a day, you'll see glass dishes
24 with various buns and --

25 A. Oh, yeah.

26 Q. -- doughnuts that were made for the day,
27 right.

28 A. Yes. 2625

1 Q. And Mr. Jackson lets people go in there
2 anytime and pick up a doughnut and take it with
3 them, right.

4 A. Yes.

5 Q. And that refrigerator area is typically
6 open, right.

7 A. Yes.

8 Q. Guests can walk in there and get juice or

9 water or whatever they want to, right.

10 A. Yes.

11 Q. And you would see Janet in that bar area
12 quite often; is that correct.

13 A. Yeah, that's where I remember her eating,
14 would be there.

15 Q. Would she sometimes eat before her children
16 ate in the main dining room.

17 A. I can't say if it was before or after. But
18 for a while there, she wasn't eating with them.

19 Q. But you also saw her eat with them from time
20 to time, didn't you.

21 A. Yes, she had, too. I think that the reason
22 why they were eating in the dining room, the kids,
23 was because the Cascio kids were with them, and they
24 were the ones that were eating in the dining room.

25 But later on, she would eat in the breakfast -- or
26 the breakfast nook or the bar with her kids.

27 Q. When you say "breakfast nook," would you see
28 Janet eating breakfast in the main house. 2626

1 A. I really didn't --

2 MR. AUCHINCLOSS: I'm going to object as
3 cumulative. Relevancy.

4 THE COURT: She already said she didn't work
5 in the mornings. Next question.

6 MR. MESEREAU: Okay.

7 Q. Would it be accurate to say that Mr. Jackson
8 seemed a lot closer to the Cascio children than the
9 Arvizo children.

10 A. He's known them a lot longer, I think, so I
11 think that he's formed more of a bonded relationship
12 with them.

13 Q. Did it appear that when the Cascio children
14 were at Neverland and the Arvizo children were at
15 Neverland, that Michael Jackson would spend more
16 time with the Cascio children than the Arvizo
17 children.

18 A. Yes.

19 Q. You indicated you remember the Cascio
20 children having food in Michael Jackson's bedroom,
21 right.

22 A. If that's what it was, yes.

23 Q. And when you say "bedroom," you're talking
24 about this part of the house that has two levels,
25 right.

26 A. Yes.

27 Q. You go through a door and there's a bottom
28 level -- 2627

1 A. Uh-huh.
2 Q. -- right.
3 And then you can go up the stairs to an
4 upstairs level, right.
5 A. Yes.
6 Q. And you've seen the Cascio children on both
7 levels, right.
8 A. Well, the only other time that I've really
9 been in his bedroom is when he wasn't home, to help
10 move furniture or to put something in his room.
11 So I was only upstairs in his bedroom that
12 one time when the Cascio kids were there when I was
13 serving dinner, and that was the only time.
14 Q. And to your knowledge, they visited
15 Neverland for years, right.
16 A. Yes.
17 Q. They've been visiting Neverland since you
18 first started work, right.
19 A. Yes.
20 Q. Do you know the father, Dominick.
21 A. Yes.
22 Q. Have you seen him there often.
23 A. Yes. Not as much as the children, but he
24 was there often.
25 Q. Did you meet with any prosecutor to talk
26 about what you were going to say today.
27 A. I spoke with them about coming here, yes.
28 Q. And when was that. 2628

1 A. Yesterday.
2 Q. Who did you speak with.
3 A. Mr. Auchincloss.
4 Q. Was it by phone.
5 A. No.
6 Q. Did you have a meeting with him.
7 A. Yes.
8 Q. And where did the meeting take place.
9 A. At my house.
10 Q. Okay. And did Mr. Auchincloss come to your
11 house.
12 A. Yes.
13 Q. Did you have a meeting with him.
14 A. Yes.
15 Q. How long was the meeting.
16 A. An hour or two. Two hours.
17 Q. Was anyone else there.
18 A. Detective Alvarez.
19 Q. Okay. Did Mr. Auchincloss give you anything
20 to read.
21 A. No.
22 Q. Did you talk about what you'd be asked
23 today.

24 A. Yes.
25 Q. And did he tell you what questions he was
26 going to ask.
27 A. Just kind of gave me a guideline about where
28 everything was going to go. 2629

1 Q. Did you discuss with him what your responses
2 to the questions might be.
3 A. Yes.
4 Q. Did Mr. Auchincloss give you any
5 suggestions --
6 A. No.
7 Q. -- about how to phrase things or anything
8 like that.
9 A. No, no, no, no.
10 Q. So he would ask you questions and you would
11 just tell him what your answer was, right.
12 A. Yeah.
13 Q. And it went an hour or two.
14 A. Yeah.
15 Q. Okay. How many meetings have you had with
16 Mr. Auchincloss.
17 A. Two.
18 Q. And when was the first meeting, other than
19 the one you just described.
20 A. Probably around January.
21 Q. Okay. And where did that take place.
22 A. My house.
23 Q. How long did that meeting last.
24 A. Two hours.
25 Q. Okay. Did Mr. Auchincloss give you anything
26 to read.
27 A. No.
28 Q. Have you ever been sent anything to read 2630

1 about this case from either the sheriffs or the
2 prosecution.
3 A. No. I think that I -- I don't know if I saw
4 a copy of my testimony or something. I think I saw
5 that.
6 Q. Did you. Okay.
7 A. I think.
8 Q. Do you know where you got that. Did
9 somebody give it to you.
10 A. No, nobody gave it to me. I just saw it.
11 Q. Okay. We're almost there.
12 A. Okay. Thanks.
13 THE COURT: From now on, on your subpoenas,
14 I want you to put "Bring an energy bar."
15 (Laughter.)

16 MR. MESEREAU: Okay. All right. I think
17 we're done.
18 THE WITNESS: Okay, great.
19 MR. MESEREAU: Just one second, if I can.
20 I'm going to backtrack for a second.
21 May I, Your Honor.
22 THE COURT: Go ahead.
23 Q. BY MR. MESEREAU: Where is the ranch house.
24 A. Probably like a half a mile or a mile away
25 from the main house.
26 Q. And please describe for the jury what the
27 ranch house looks like.
28 A. It's just an older home that I think was 2631

1 there before the main house was built. And it's --
2 it has two bedrooms, and two bathrooms, and a living
3 room.
4 Q. And do guests sometimes stay at the ranch
5 house.
6 A. Certain guests, yes.
7 Q. Do employees sometimes stay at the ranch
8 house.
9 A. Yes, they have.
10 Q. You don't often see Mr. Jackson at the ranch
11 house, do you.
12 A. No. He's been there, but he doesn't really
13 stay there.
14 Q. Did you ever see the Arvizos there.
15 A. Not that I can remember.
16 MR. MESEREAU: Okay. Thank you.
17 THE WITNESS: Okay.
18 THE COURT: Counsel.
19
20 REDIRECT EXAMINATION
21 BY MR. AUCHINCLOSS:
22 Q. Miss Fournier, did you ever deliver food to
23 Mr. Jackson at the ranch house.
24 A. Yes.
25 Q. On how many occasions.
26 A. Well, I don't know if he was there. I know
27 that Joey was there, and he called to get some food
28 to be delivered to the ranch house. 2632

1 Q. Okay. Did you take the call.
2 A. I don't remember if I took the call or not,
3 but -- or somebody told me, but I brought the basket
4 of food down there.
5 Q. Do you know -- what were your instructions
6 as far as this basket of food goes.
7 A. To take some munchies down to the ranch

8 house.

9 Q. On that day that you took some munchies to
10 the ranch house, did you see Mr. Jackson in the
11 presence of children after that period.

12 A. Yes.

13 Q. Did any of those children appear to be
14 intoxicated.

15 A. Yes.

16 Q. Do you remember which -- what their names
17 were.

18 A. I think Joey was there at the table.

19 Q. What's -- do you know Joey's last name.

20 A. No.

21 Q. Okay.

22 A. And there was -- I don't remember their
23 names right now.

24 Q. Okay. Were any of these children local
25 children from the local community.

26 A. Yes.

27 Q. Do you know what town they're from.

28 A. I think Los Olivos. 2633

1 Q. Do you remember any of their names.

2 A. I can't think of any of them right now.

3 Q. All right. You talked about the fact that
4 there were certain -- there was a certain amount of
5 excess at Neverland with children.

6 A. Yes.

7 Q. How long did that go on during your period
8 of employment. How long was it that you felt that
9 children were allowed -- didn't have boundaries.

10 A. Well, the first day that I got there, there
11 was silly string all over the inside of the house,
12 so I don't know if you would consider that, but --
13 no boundaries, but just something like that.

14 Q. Have you ever seen Mr. Jackson intoxicated.

15 MR. MESEREAU: Objection; foundation.

16 THE COURT: Overruled.

17 You may answer.

18 THE WITNESS: I don't know if he was
19 intoxicated or he was under a doctor's orders taking
20 medication. I don't know.

21 Q. BY MR. AUCHINCLOSS: All right. My question
22 goes to intoxicated by any substance, regardless of
23 what. Did he ever appear to be under the influence
24 of some substance.

25 A. Yes.

26 Q. Did you ever see him where he appeared
27 intoxicated in the presence of children who appeared
28 intoxicated. 2634

1 A. I can't say for sure on that one.
2 Q. If you have an opinion, I'd like to know it.
3 MR. MESEREAU: Objection; asked and
4 answered.
5 THE COURT: Sustained.
6 Q. BY MR. AUCHINCLOSS: You said you can't say
7 for sure. Why is that.
8 MR. MESEREAU: Objection; asked and
9 answered.
10 THE COURT: Overruled.
11 You may answer that.
12 THE WITNESS: Well, that one time at the
13 table, I remember him appearing like he might be
14 intoxicated when I was serving.
15 Q. BY MR. AUCHINCLOSS: All right. When the
16 other children were also intoxicated.
17 A. I believe some of them were, yes.
18 Q. Yes. The three children that you mentioned.
19 A. Yes.
20 Q. Did Janet Arvizo ever have food delivered in
21 her room.
22 A. Yes.
23 Q. When the Cascio children were there, did
24 they spend time with the Arvizo children.
25 A. Yes.
26 Q. Would the Cascio and Arvizo children spend
27 time together with the defendant.
28 A. Yes. 2635

1 Q. Do you believe that Neverland is a healthy
2 place for children.
3 MR. MESEREAU: Objection; improper opinion.
4 MR. AUCHINCLOSS: Based on every -- well, I
5 can finish the question, add a little to the
6 question.
7 THE COURT: You may finish your question.
8 MR. AUCHINCLOSS: All right.
9 Q. Based on everything you've seen there --
10 you've talked somewhat extensively on cross and
11 direct about these boundaries, and about children
12 misbehaving, and authority, that kind of thing.
13 Based on everything you've seen and know
14 about Neverland during your period of employment
15 there, do you believe this is a healthy place for
16 children, healthy environment.
17 MR. MESEREAU: Objection. Improper opinion;
18 no foundation; relevance; 352.
19 THE COURT: Sustained.
20 Q. BY MR. AUCHINCLOSS: Would you allow your
21 own children to stay at Neverland.
22 MR. MESEREAU: Objection. Relevance;

23 improper opinion; 352; foundation.
24 THE COURT: Relevance; sustained.
25 Q. BY MR. AUCHINCLOSS: How far is it from the
26 main gate of Neverland to the main residence.
27 A. I'm really bad on distances, but a mile,
28 mile and a half maybe. 2636

1 Q. And how far is it from the main gate to the
2 nearest town.
3 A. Five miles.
4 Q. You mentioned that there were visitors that
5 Mr. Jackson would invite into his house, and that
6 was somewhat common; is that fair to say.
7 A. Yes.
8 Q. Okay. Would he invite these visitors who
9 came into the house, typically would he invite them
10 into his bedroom suite.
11 MR. MESEREAU: Objection; foundation.
12 Q. BY MR. AUCHINCLOSS: If you know.
13 THE COURT: All right. Answer "yes" or "no"
14 if you know whether or not visitors were invited.
15 THE WITNESS: Yes.
16 Q. BY MR. AUCHINCLOSS: You do know.
17 A. Yes.
18 Q. Would they spend time in his bedroom suite.
19 A. Yes.
20 MR. MESEREAU: Objection. Foundation; 1108.
21 MR. AUCHINCLOSS: That's fine. I'll move
22 on.
23 THE COURT: I'll overrule the objection and
24 limit the questions in that area based on your
25 objection.
26 MR. AUCHINCLOSS: Okay.
27 Q. You can go ahead and answer that question.
28 THE COURT: She did. 2637

1 MR. AUCHINCLOSS: Thank you.
2 THE COURT: The answer was "Yes."
3 Q. BY MR. AUCHINCLOSS: You mentioned the
4 phrase "wild boys." Can you tell me what you mean
5 by that.
6 A. When the children were unsupervised, they
7 frequently became wild.
8 Q. And this supervision issue or the fact that
9 children would become problematic in their behavior,
10 was that known to Mr. Jackson based upon -- well,
11 let me back up.
12 Did the children's misbehavior occur in
13 Mr. Jackson's presence.
14 A. No.

15 Q. Was he aware that they would destroy things
16 at Neverland.
17 MR. MESEREAU: Objection; calls for
18 speculation.
19 THE COURT: Foundation; sustained.
20 Q. BY MR. AUCHINCLOSS: Do you know if Mr.
21 Jackson was made aware of the destruction of golf
22 carts, things of that nature, at Neverland.
23 A. Sometimes I think he was, because he would
24 notice that things were broken or things were
25 missing. So sometimes, yes.
26 Q. The families of -- you mentioned on
27 cross-examination that the list of boys who were
28 special friends of Mr. Jackson, you said that their 2638

1 families would stay at Neverland; is that true.

2 A. Yes.

3 Q. Would any of those children on that list
4 stay at Neverland by themselves, without their
5 families.

6 A. Yes.

7 Q. Do you recall which ones.

8 A. Brett Barnes did. Elijah did. Little

9 Michael did. Is that enough.

10 Q. Well, I can just -- I can make this simple.

11 I can go down the list. Frank Cascio.

12 A. Yes.

13 Q. How about his brother Aldo.

14 A. Yes.

15 Q. McCaulay Culkin.

16 A. Well, as an adult he was there alone. But

17 when he was a child, I pretty much remember his
18 parents being there when I was there.

19 Q. Brett Barnes.

20 A. He would come alone sometimes.

21 Q. Elijah.

22 A. Yes.

23 Q. Gavin.

24 A. I remember Gavin always having his mom.

25 Q. Okay. How about the Los Olivos boys that
26 you've talked about.

27 A. They would be there without their parents.

28 Q. Jimmy Safechuck. 2639

1 A. I think he did come a couple times without
2 his parents.

3 Q. Wade Robison.

4 MR. MESEREAU: Objection; 1108.

5 THE COURT: Sustained.

6 MR. AUCHINCLOSS: I believe it's a follow-up

7 to counsel's question. But I'll move on.
8 Q. You said that you had a conversation with
9 Frank about being an employee.
10 A. Yes.
11 Q. Did he tell you who he was an employee of.
12 A. No. I just assumed it was Mr. Jackson.
13 Q. Was he working at Neverland Ranch at the
14 time.
15 A. Yes.
16 Q. What time period was this.
17 A. I don't remember. I'm sorry.
18 Q. Okay. Do you know if it was in the 2003 --
19 the year 2003.
20 A. No, it was before that. I want to say about
21 like 2001 or 2002.
22 Q. You said that Frank and Vinnie had desks set
23 up in the video library.
24 A. Yes.
25 Q. When was that.
26 A. Oh, boy, I don't remember. I don't
27 remember.
28 Q. But it was the period of time -- do you know 2640

1 if it was the period of time when the Arvizos were
2 there.
3 A. Well, the desks were up there then, yes.
4 Q. Do you know if Frank and Vinnie were working
5 at those desks during the period of time that the
6 Arvizos were there.
7 A. I believe so, yes.
8 Q. Do you know who Frank was working for at
9 that time.
10 A. Like I said, I assume it was Mr. Jackson.
11 Q. You said that busloads of kids would come to
12 visit Mr. Jackson at Neverland, or visit Neverland,
13 I should say.
14 A. Yes.
15 Q. Was Mr. Jackson there typically, when the
16 busloads of kids would be there.
17 A. Not typically, but sometimes he was.
18 Q. Would those children spend the night.
19 A. Not the busloads of kids, no.
20 Q. Okay. So was there a difference between the
21 kids that would be guests and children who would
22 just come up in a busload.
23 A. Somewhat, yes.
24 Q. Was there a difference in the behavior of
25 the children who were guests of Mr. Jackson than the
26 behavior of the kids in the busloads.
27 MR. MESEREAU: Objection; vague.
28 THE COURT: Sustained. 2641

1 Q. BY MR. AUCHINCLOSS: As far as Mr. Jackson
2 leaving the ranch, you said that would be a frequent
3 occurrence.
4 A. He did every once in a while. And sometimes
5 we knew when he left, and sometimes we didn't.
6 Q. Was there a difference in the attitude and
7 behavior of the employees when Mr. Jackson was on
8 the property.
9 MR. MESEREAU: Objection; vague.
10 MR. AUCHINCLOSS: She's an employee. I
11 think she's qualified to answer it.
12 MR. MESEREAU: Relevance.
13 THE COURT: The objection is overruled.
14 You may answer. Do you want the question
15 read back.
16 THE WITNESS: That's okay. I think I got it.
17 THE COURT: You think you got it.
18 THE WITNESS: We would always try to be on
19 our absolute best behavior when Mr. Jackson was
20 home.
21 Q. BY MR. AUCHINCLOSS: And why was that.
22 A. Because we were supposed to, too, and
23 because, you know, nobody wants to get fired.
24 Q. You said that Gavin always treated you with
25 respect.
26 A. Yes.
27 Q. You were asked a question about did the
28 Arvizo boys crash any carts, and then your answer 2642

1 was, "All of them crashed carts." What did you mean
2 by that.
3 A. All the kids that stayed as guests. I mean,
4 I can't think of anybody that would be exempt from
5 crashing of the carts.
6 Q. So that would be a destructive behavior of
7 all the kids that stayed.
8 MR. MESEREAU: Objection; leading.
9 MR. AUCHINCLOSS: I'll withdraw it.
10 Q. You said that Star Arvizo pulled a knife on
11 you in the kitchen.
12 A. Yes.
13 Q. All right. Did you feel threatened.
14 A. No.
15 Q. You're smiling.
16 A. Well, I mean, I didn't feel comfortable
17 about it. Who wants a knife in your back, you know,
18 but --
19 Q. Was it your impression that Star was joking
20 with you.
21 A. Yes. I thought he was joking and trying to

22 assert some sort of authority.
23 Q. All right. He didn't hurt you with the
24 knife.
25 A. No.
26 Q. And didn't -- what did you say in response
27 to him.
28 A. "You're going to have to catch me first." 2643

1 Q. So did you feel like you were joking back to
2 him when you said that.
3 A. Yeah, I was --
4 MR. MESEREAU: Objection; leading.
5 THE COURT: You may answer the question. You
6 started to answer it. Go ahead.
7 THE WITNESS: Okay. Well, I didn't like it,
8 so --
9 Q. BY MR. AUCHINCLOSS: When you said that, did
10 you feel like you were joking back.
11 MR. MESEREAU: Objection. Leading;
12 mischaracterizes the testimony.
13 THE COURT: Well, it's asked and answered.
14 Q. BY MR. AUCHINCLOSS: Well, did you run
15 afterwards. That's the --
16 A. No.
17 Q. So you weren't serious when you said that.
18 MR. MESEREAU: Objection; leading.
19 THE COURT: Sustained.
20 Q. BY MR. AUCHINCLOSS: Were you serious when
21 you said that.
22 A. Well, if he would have chased me, yes.
23 Q. But did he chase you.
24 A. No.
25 Q. Okay. As far as the destructive behavior,
26 the problem with the guest unit where the glass was
27 broken, I think you said soda was spilled on the
28 floor -- 2644

1 A. Uh-huh.
2 Q. -- do you know when that occurred.
3 MR. MESEREAU: Objection; asked and
4 answered.
5 MR. AUCHINCLOSS: Not by me.
6 THE COURT: Overruled.
7 THE WITNESS: It was towards the end of their
8 stay in the beginning of 2003.
9 Q. BY MR. AUCHINCLOSS: Okay. Do you have a
10 distinct recollection of all these events in --
11 being in the beginning of 2003.
12 A. With the rooms being a mess, yes.
13 Q. Fair statement. So do you know, was it --

14 what shift were you working at that time.
15 A. Usually the late shift.
16 Q. So you saw the room in this condition at
17 what time, approximately.
18 A. Actually, I think those few times I came in,
19 the room was a mess, I think that they had actually
20 left the property, because it was -- it was -- it
21 was during the day that I had seen that.
22 So sometimes I would work earlier hours if
23 there was nobody there, too, so it wasn't required
24 that somebody would stay late to serve dinner. So I
25 think those instances would be more during the day
26 that I remember them, not at night.
27 Q. Okay. And when you say they were staying in
28 that unit, what does that mean. 2645

1 A. That they were sleeping there.
2 Q. Okay. Do you know that they were sleeping
3 there.
4 A. No.
5 Q. Do you have any idea where those children
6 were sleeping on those given nights.
7 A. No. Because I wasn't there.
8 Q. Okay. So -- all right. Thank you.
9 A. Uh-huh.
10 MR. AUCHINCLOSS: Thank you. No further
11 questions.
12 MR. MESEREAU: No further questions, Your
13 Honor.
14 THE COURT: Thank you. You may step down.
15 THE WITNESS: Okay. Thank you.
16 MR. MESEREAU: May the witness be subject to
17 re-call.
18 THE WITNESS: Is it okay if I go.
19 THE COURT: You're free to leave. The
20 attorney's indicating that they may want to call you
21 back, so that would be if somebody telephones you
22 only. Under those conditions, you would have to
23 come back.
24 THE WITNESS: Okay. Thank you.
25 THE COURT: Call your next witness.
26 MR. SNEDDON: Shawn O'Grady.
27 Your Honor, I would indicate to the Court
28 we're going to go back into the area that we were 2646

1 exploring yesterday.
2 All right. We'll do --
3 THE COURT: Face the clerk and raise your
4 right hand.
5

6 RUBY WOLFF
7 Having been sworn, testified as follows:
8
9 THE WITNESS: I do.
10 THE CLERK: Please be seated. State and
11 spell your name for the record
12 THE WITNESS: Ruby Wolff, W-o-l-f-f.
13 THE BAILIFF: We have the wrong witness.
14 MR. SNEDDON: I'm sorry.
15 THE BAILIFF: This is Ruby Wolff.
16 MR. SNEDDON: I know that. She was already
17 here.
18 THE BAILIFF: You called O'Grady.
19 MR. SNEDDON: I know. We changed it. She
20 was already in the courtroom, so --
21
22 DIRECT EXAMINATION
23 BY MR. SNEDDON:
24 Q. You're employed by the sheriff's department.
25 A. Yes.
26 Q. You're going to have to lean into that.
27 How long have you been employed by the
28 sheriff's department. 2647

1 A. Six years.
2 Q. And what is your present duty assignment.
3 A. I'm a detective.
4 Q. And where are you assigned in your detective
5 responsibilities.
6 A. Santa Maria station.
7 Q. All right. And back in November 18th of
8 2003, were you assigned to participate in the
9 execution of a search warrant at Neverland Valley
10 Ranch.
11 A. Yes.
12 Q. And specifically what was your duty
13 assignment at that time.
14 A. I was an interviewer and also a searcher.
15 Q. And during the course of the time that you
16 were a searcher, did you seize anything at the
17 location.
18 A. Yes.
19 Q. And could you tell the ladies and gentlemen
20 of the jury, where was it that you seized the item.
21 A. It was in the master bathroom in Mr.
22 Jackson's residence.
23 Q. And specifically what was it that you took.
24 A. It was a card.
25 Q. And where was the card located when you saw
26 it for the first time.
27 A. It was next to a dresser next to a sink in
28 the bathroom. 2648

1 Q. And what did you do with that card after you
2 seized it.
3 A. I took it to Detective Padilla.
4 Q. And he was what we call "the scribe"; is
5 that correct.
6 A. Yes.
7 Q. You told him where it was located.
8 A. Yes.
9 Q. Where you found it.
10 Do you have that exhibit with you.
11 A. Yes, I do.
12 Q. Let me identify it first.
13 No, the bag.
14 Your Honor, I have a brown bag with the
15 number "#310" in the upper right-hand corner in
16 black. And we've marked this as People's 712 for
17 identification purposes.
18 THE COURT: All right.
19 Q. BY MR. SNEDDON: Now, would you just remove
20 the item that's inside the bag. 712. And do you
21 recognize that.
22 A. Yes, I do.
23 Q. And was that the item that you seized and
24 gave to Detective Padilla.
25 A. Yes.
26 Q. And is it in the same condition as it was at
27 the time that you seized it.
28 A. Yes, it is. 2649

1 MR. SNEDDON: All right. Move that 712 be
2 admitted into evidence, Your Honor.
3 MR. MESEREAU: May I look at it for one
4 second, Your Honor.
5 THE COURT: Yes.
6 MR. MESEREAU: Thank you.
7 No objection, Your Honor.
8 THE COURT: All right. It's admitted.
9 MR. SNEDDON: No further questions, Your
10 Honor.
11 MR. MESEREAU: May I just look at the card,
12 Your Honor.
13 THE COURT: Yes.
14 MR. MESEREAU: Thank you.
15
16 CROSS-EXAMINATION
17 BY MR. MR. MESEREAU:
18 Q. Does -- Detective, is that the --
19 A. Yes.
20 Q. Okay. Thank you.

21 Detective, you found this card where.
22 A. In the master bathroom.
23 Q. Okay. And the card says, "I miss you, Daddy
24 Michael," correct.
25 A. Yes.
26 Q. Did you read the card when you found it.
27 A. Yes.
28 Q. And what did you do after you read the card. 2650

1 A. Gave it to Detective Padilla.
2 Q. Okay. Now, this card says the following:
3 "Dear Daddy Michael. How are you. I can't wait to
4 see you again and play with you at Neverland,
5 because we are going to be best friends and you are
6 my daddy forever," right.
7 A. Right.
8 Q. It says, "You are the finest grown-up in the
9 world. I love you, Daddy Michael. And tell my
10 little brother and little sister that I love and
11 care about them. Thank you for everything, Daddy
12 Michael. Thank you for being my Daddy Michael.
13 Thank you for helping me be happy and beat cancer.
14 Happy Daddy's Day, and I love you more. Love, your
15 Doo-Doo Head, Gavin Arvizo," right.
16 A. Yes.
17 Q. And then there's a heart and there's print
18 inside the heart that says, "I love my Daddy Michael
19 forever," right.
20 A. Yes.
21 Q. And then it says, "P.S.: Please give me
22 your new phone numbers, because I miss talking to
23 you."
24 And then the writing continues, "My phone
25 number is 626-452-1693," right.
26 A. Yes.
27 Q. Now, this card was in the purple envelope,
28 right. 2651

1 A. Yes.
2 Q. And the envelope was addressed to "Daddy
3 Michael, from your son Gavin," right.
4 A. Yes.
5 Q. And you see little faces that appear to be
6 sort of written on the envelope, correct.
7 A. Yes.
8 Q. Did you ever discuss this card with anyone
9 besides the person you gave it to.
10 A. No.
11 Q. Okay. Did you ever see it after you gave it
12 to the person you gave it to.

13 A. Not up until coming here.
14 Q. Okay. Okay. Did you know, when you came in
15 here, you were going to be asked questions about
16 this card.
17 A. Yes.
18 Q. How did you know that.
19 A. We were just told to review our evidence.
20 Q. Okay. Were you told you're not going to be
21 asked questions about anything else you seized, just
22 the card.
23 A. That's the only item I seized.
24 Q. Okay. So during your search, that was the
25 only thing you actually seized that day.
26 A. Yes.
27 Q. All right. Do you recall having a meeting
28 before the search with all of the people involved in 2652

1 the search.
2 MR. SNEDDON: Your Honor, she -- I'm going
3 to object as beyond the scope of direct.
4 THE COURT: Sustained.
5 Q. BY MR. MESEREAU: Did you receive any
6 direction before you seized this item from anybody.
7 MR. SNEDDON: Same objection, Your Honor.
8 It would call for hearsay.
9 THE COURT: You can answer that "yes" or
10 "no." You may answer.
11 THE WITNESS: Yes.
12 Q. BY MR. MESEREAU: Who did you receive
13 direction from.
14 A. We all had a copy of a search warrant.
15 Q. Did you also have a copy of a Santa Barbara
16 County Sheriff's Department operations plan.
17 MR. SNEDDON: Same objection, Your Honor.
18 Beyond the scope of direct.
19 THE COURT: Overruled.
20 THE WITNESS: Yes.
21 Q. BY MR. MESEREAU: Did you read that
22 operations plan.
23 A. Yes.
24 Q. And approximately when did you read it
25 before you searched the main house.
26 A. I don't recall the exact time frame.
27 Q. And do you know the date that you conducted
28 the search. 2653

1 A. Yes.
2 Q. And what was that date.
3 A. November the 18th, 2003.
4 Q. Do you know approximately how many people

5 were involved in that search.
6 A. Approximately 69 people.
7 Q. Were they mostly sheriff's personnel.
8 A. Yes.
9 Q. Did the 69 people who searched Mr. Jackson's
10 home meet somewhere before the search.
11 A. Yes.
12 Q. Where did you meet.
13 A. I can't recall the exact street.
14 Q. Did all 69 people arrive at the same time.
15 MR. SNEDDON: Your Honor, I'm going to
16 object as vague, as to arrive where.
17 MR. MESEREAU: I'll rephrase it, Your Honor.
18 Q. Did all 69 people involved in the search of
19 Mr. Jackson's home enter the premises at the same
20 time, to your knowledge.
21 A. I can't recall. We were all behind one
22 another.
23 Q. What was your assignment.
24 A. I was an interviewer and also a searcher.
25 Q. Were you told specifically where you were
26 going to search.
27 A. I can't recall.
28 Q. How did you end up in the room where you 2654

1 found this particular card, if you know.
2 A. It was an area that hadn't been searched
3 yet.
4 Q. And which -- which area was that.
5 A. In the master bathroom.
6 Q. And did someone tell you it hadn't been
7 searched yet.
8 A. Yes.
9 Q. Who was that.
10 A. I don't -- I can't recall.
11 Q. Okay. Were you armed at the time.
12 A. Yes.
13 Q. Were the 69 people you mentioned all armed.
14 A. I don't know.
15 Q. Okay. Who entered the premises first.
16 A. I don't know.
17 Q. Okay. Who else searched the master
18 bathroom.
19 A. I know Detective Pierce was there. And I
20 don't recall the other detectives that were in
21 there.
22 Q. Was the area where you found this particular
23 card that says "I miss you, Daddy Michael," was that
24 area videotaped, to your knowledge.
25 A. Yes.
26 Q. Did you see it being videotaped.
27 A. Yes.

28 Q. Did you arrange for it to be videotaped. 2655

1 A. No.

2 Q. Are you on that videotape.

3 A. Not that I'm aware of. I don't know.

4 Q. Okay. When you found the card, did you
5 touch it.

6 A. Yes.

7 Q. Did you pick it up.

8 A. Yes.

9 Q. Did you read it.

10 A. Yes.

11 Q. Did you take it out of the envelope.

12 A. Yes.

13 Q. Then what did you do with it.

14 A. I took it to Detective Padilla.

15 Q. Was it ever videotaped where you found it,
16 to your knowledge.

17 A. Not to my knowledge.

18 Q. Okay. Now, when the team of 69 people got
19 together, you got some instructions about what to do
20 with the media, correct.

21 A. Not that I can recall.

22 Q. Do you recall any discussion about media's
23 going to be at Neverland or watching Neverland
24 during the search.

25 A. No.

26 Q. Do you recall any media being there.

27 A. I believe there were helicopters above.

28 Q. Do you know who told the media about this 2656

1 search with 69 people at Mr. Jackson's residence.

2 A. No.

3 Q. But you saw copters everywhere.

4 A. Yes.

5 Q. Did you see people with cameras on the
6 ground.

7 A. As we were driving in, there was, I believe,
8 one cameraperson.

9 Q. Did you see cameras when you left.

10 A. Yes.

11 Q. Did you see media trucks.

12 A. Yes.

13 Q. Okay. Now, when these 69 people went on the
14 property, people who worked at Neverland were not
15 free to leave, correct.

16 A. Correct.

17 Q. I mean, at some point they were allowed to
18 leave, but for a certain period of time, none of you
19 would allow them to leave the premises, correct.

20 A. Correct.
21 Q. Okay. And to your knowledge, your
22 department issued a press release that day, correct.
23 A. I don't recall that.
24 Q. You were unaware that your department issued
25 a press release announcing this big search of Mr.
26 Jackson's home.
27 A. I don't recall specifics on who arranged
28 that. 2657

1 Q. Do you know if any fingerprint testing has
2 ever been done on this card that has the words "I
3 miss you, Daddy Michael".
4 A. Not to my knowledge.
5 Q. Did you arrange for anything like that.
6 A. No.
7 Q. Would it have been your responsibility to do
8 that.
9 A. No. I believe it would have been possibly
10 forensics.
11 Q. Were you wearing gloves when you touched the
12 card.
13 A. Yes.
14 Q. Okay. How many people were in the master
15 bathroom with you when you searched.
16 A. I don't recall.
17 Q. Was it you alone.
18 A. No.
19 Q. Was it more than three.
20 A. I don't recall.
21 Q. Okay. Is there any other area of the main
22 house that you searched on that day.
23 A. Yes.
24 Q. Where else did you search.
25 A. I believe Mr. Jackson's daughter's room.
26 Q. Okay. Did you search that room alone.
27 A. No.
28 Q. Were you with other people when you searched 2658

1 that room.
2 A. Yes.
3 Q. How many, if you know.
4 A. I don't recall.
5 Q. Now, you indicated you reviewed the
6 operations plan, right.
7 A. Yes.
8 Q. And you read it before the group of 69
9 people met, right.
10 A. Yes.
11 Q. To your knowledge, everybody else had a copy

12 of that operations plan, right.
13 A. Yes.
14 Q. Okay. What did you see in the dresser,
15 other than the card, if you remember.
16 A. I don't recall specifics.
17 Q. Now, when you looked at this operations
18 plan, you were informed that a prior investigation
19 into Mr. Jackson had been terminated, right.
20 MR. SNEDDON: Object. It calls for hearsay,
21 Your Honor.
22 THE COURT: Sustained.
23 Q. BY MR. MESEREAU: It was your understanding
24 that this search with 69 people grew out of an
25 attorney calling Santa Barbara --
26 MR. SNEDDON: Your Honor, I'm going to
27 object. It's beyond the scope of direct.
28 THE COURT: Sustained. Sustained. It's 2659

1 outside the scope.
2 MR. MESEREAU: Last question.
3 Q. Your property report says you retrieved
4 other greeting cards, correct.
5 A. That's not correct.
6 Q. Is that not correct.
7 A. That's not correct.
8 Q. Okay. It was only one greeting card.
9 A. Yes.
10 MR. MESEREAU: Okay. No further questions,
11 Your Honor.
12 MR. SNEDDON: Thank you. No further
13 questions.
14 THE COURT: Thank you. You may step down.
15 THE WITNESS: Thank you.
16 MR. SNEDDON: Let's try O'Grady this time.
17 Detective. Did you walk off with the bag.
18 THE WITNESS: Yes, I did. Sorry about that.
19 MR. SNEDDON: Thank you.
20 THE COURT: Come forward. When you get to
21 the witness stand, please remain standing. Face the
22 clerk and raise your right hand.
23
24 SHAWN O'GRADY
25 Having been sworn, testified as follows:
26
27 THE WITNESS: I do.
28 THE CLERK: Please be seated. State and 2660

1 spell your name for the record.
2 THE WITNESS: It's Shawn O'Grady.
3 S-h-a-w-n. O, apostrophe, G-r-a-d-y.

4 THE CLERK: Thank you.

5

6 DIRECT EXAMINATION

7 BY MR. SNEDDON:

8 Q. Deputy O'Grady, you're employed by the
9 sheriff's department, correct.

10 A. That's correct.

11 Q. How long have you been with the sheriff's
12 department.

13 A. Since 1997.

14 Q. And were you assigned to participate in the
15 execution of a search warrant on November the 18th
16 of 2003.

17 A. Yes, I was.

18 Q. And that was at Neverland Valley Ranch.

19 A. That's correct.

20 Q. And in connection with the execution of that
21 search warrant, did you perform any responsibility
22 about searching.

23 A. Yes, I did.

24 Q. And where were you assigned to search.

25 A. I was assigned to search the bedroom, the
26 bathroom area of Michael Jackson's room.

27 Q. As a result of your looking in the area
28 you've described to the jury, did you seize 2661

1 something.

2 A. Yes, I did.

3 Q. And what did you seize.

4 A. I seized a book with sexually explicit
5 material in it.

6 Q. And where was that book located the first
7 time that you saw it.

8 A. It was on the border of his bathtub.

9 Q. I'm going to show you an exhibit that's in
10 evidence as People's Exhibit 62.

11 Do you recognize that photograph.

12 A. Yes, I do.

13 Q. Is that the area you searched.

14 A. Yes, it is.

15 Q. Do you see in that photograph the location
16 of the item that you seized.

17 A. Yes, I do.

18 Q. And does that photograph depict the location
19 of that item at the time you first saw it.

20 A. Yes, it does.

21 Q. Would you please circle and put your
22 initials. And I'm going to ask you to put the
23 number "588" by it.

24 Thank you. Your Honor, at this time I have
25 an item, it's a brown bag with a "#307" in black in
26 the upper right-hand corner, and it's marked as

27 People's 588 for identification purposes. I'd like
28 the bag and its contents marked as Exhibit 588. 2662

1 THE COURT: All right. That's 588.

2 MR. SNEDDON: Go ahead, or give time to
3 counsel.

4 MR. MESEREAU: We're okay. We're okay.

5 MR. SNEDDON: Okay. Good. The next item
6 I'd like to have marked for identification purposes
7 is a one-page photograph marked as People's Exhibit
8 No. 711 for identification purposes.

9 Q. All right. I'm going to ask you some
10 questions.

11 I direct your attention, first of all, to
12 the bag that's in front of you that's been marked as
13 People's 588 for identification purposes, all right.
14 Would you look at the contents of the bag, please.

15 Yeah, just --

16 Now, you've taken out of that bag a book,
17 correct.

18 A. That's correct.

19 Q. Do you recognize that book.

20 A. Yes, I do.

21 Q. Is that the item you seized on November
22 11th.

23 A. Yes, it is.

24 Q. At the location depicted in the photograph.

25 A. That's correct.

26 Q. After you took that item into your custody
27 and care, what did you do with it then.

28 A. Took it to where we were doing the -- or, 2663

1 actually, I went to Lieutenant Klapakis and asked
2 him if this is something that he wanted seized.

3 Q. Okay. And after that conversation, what did
4 you do.

5 A. He said it was, and we took it over where we
6 were bagging the evidence up.

7 Q. And what was -- was that where Detective
8 Padilla was.

9 A. That is correct.

10 Q. Is that book in the same condition as it was
11 on the day that you seized it.

12 A. It appears to be, yeah.

13 Q. And with regard to the exhibit that's in
14 front of you, 711, do you see that.

15 A. Yes.

16 Q. Does 711 accurately depict the front cover
17 of that book.

18 A. Yes, it does.

19 MR. SNEDDON: Your Honor, I'd move that 588
20 and 711 be admitted into evidence.
21 MR. MESEREAU: No objection, Your Honor.
22 THE COURT: They're admitted.
23 Q. BY MR. SNEDDON: And the exhibit that's on
24 the overhead there is Exhibit 711, correct.
25 A. That's correct.
26 Q. And that's the one that you said accurately
27 depicts the front cover of the book that you have in
28 front of you, which is 588, correct. 2664

1 A. Yes, that's correct.
2 Q. All right. Thank you.
3 I have no further questions, Your Honor.
4 THE COURT: Are you going to want the Elmo
5 on.
6 MR. MESEREAU: No, Your Honor. That's okay.
7 But I would like to see the item of evidence.
8
9 CROSS-EXAMINATION
10 BY MR. MESEREAU:
11 Q. Mr. O'Grady, you seized a book titled
12 "Bidgood," and the name is "Taschen" at the bottom;
13 is that correct.
14 A. Yes, that's correct.
15 Q. And do you know where that book came from.
16 A. No.
17 Q. Do you know that Mr. Taschen is a German
18 photographer who was going to photograph the Jackson
19 family.
20 A. I have no idea, no.
21 Q. Are you aware that Mr. Taschen sent this to
22 Mr. Jackson.
23 A. No, I do not.
24 Q. And that's Peter Pan on the cover, correct.
25 A. I don't know. It looks like a person
26 playing a pan flute. Could be like a mythological
27 person or something.
28 MR. MESEREAU: Okay. No further questions. 2665

1 MR. SNEDDON: Jeff Ellis.
2 THE COURT: Do you have any other questions.
3 MR. SNEDDON: No, I'm sorry. No further
4 questions.
5 THE COURT: Thank you. You may step down.
6 MR. SNEDDON: I'll take those out of the way
7 for you.
8 THE COURT: Remain standing. Face the
9 clerk, please. Raise your right hand.
10

11 JEFFERY ELLIS
12 Having been sworn, testified as follows:
13
14 THE WITNESS: I do.
15 THE CLERK: Please be seated. State and
16 spell your name for the record.
17 THE WITNESS: My name is Jeffery Ellis.
18 J-e-f-f-e-r-y. Ellis, E-l-l-i-s.
19 THE CLERK: Thank you.
20
21 DIRECT EXAMINATION
22 BY MR. SNEDDON:
23 Q. Mr. Ellis, you're employed by me.
24 A. That's correct. By the District Attorney's
25 Office.
26 Q. And how long have you been a detective/
27 investigator with the Santa Barbara District
28 Attorney's Office. 2666

1 A. For four years.
2 Q. And prior to that, did you have any law
3 enforcement experience.
4 A. I did. I was a police officer in Lompoc for
5 nine years.
6 Q. Now, on November the 18th of 2003, you
7 participated in the execution of a search warrant at
8 Neverland Valley Ranch, correct.
9 A. I did.
10 Q. And during the course of your assignment
11 there, were you involved in doing some searching.
12 A. I did.
13 Q. And during the time that you were searching,
14 did you seize an item.
15 A. I did.
16 Q. And do you recall where that item was that
17 you seized.
18 A. It was in the lower -- what I would describe
19 as the lower portion of the bedroom, Michael
20 Jackson's bedroom, the downstairs.
21 Q. And where downstairs.
22 A. Near the fireplace.
23 Q. And was it on -- sitting on something, or on
24 the floor, or do you recall.
25 A. It was in a bag, a B. Dalton book bag on the
26 floor, as I recall.
27 Q. And then when you seized that item, what did
28 you do with it. 2667

1 A. I gave it to the deputy that was logging in
2 evidence.

3 Q. Would that be Detective Padilla.
4 A. Yes, Detective Padilla.
5 Q. All right.
6 MR. SNEDDON: Your Honor, I've shown counsel
7 the two exhibits I would like to have marked. The
8 first one is a brown paper bag that contains the
9 number "#313" at the top. And it has an evidence
10 tag number 589 for identification purposes.
11 And a photograph, one-page photograph that
12 we've had marked as People's 710 for identification
13 purposes.
14 MR. MESEREAU: No objection, Your Honor.
15 MR. SNEDDON: Well, let me get there first.
16 MR. MESEREAU: All right.
17 MR. SNEDDON: I appreciate the cooperation,
18 but....
19 Q. All right. Detective Ellis, first of all,
20 why don't you take a look at the book, the Exhibit
21 589. You're removing the book from the bag,
22 correct.
23 A. That's correct.
24 Q. Do you recognize that book.
25 A. I do.
26 Q. And was that the book that you seized from
27 Mr. Jackson's downstairs bedroom area.
28 A. That appears to be the same book. 2668

1 Q. Now, with regard to the exhibit, is it in
2 the same condition as it was at the time you seized
3 it.
4 A. It appears to be.
5 Q. All right. And with regard to the Exhibit
6 710 the photograph, do you see that.
7 A. Yes, I do.
8 Q. Does that photograph accurately depict the
9 front page of the Exhibit 589.
10 A. It does.
11 Q. All right. Thank you. Why don't you hand
12 me just that.
13 Your Honor, now I'm going to move to admit
14 it into evidence.
15 MR. MESEREAU: No objection.
16 THE COURT: Both items.
17 MR. SNEDDON: Please, Your Honor. 589 and
18 710.
19 THE COURT: They're admitted.
20 MR. SNEDDON: And we're going to display the
21 Item 710 on the Elmo, Your Honor.
22 Q. Detective Ellis, that's the item that you
23 seized in the bag on the floor.
24 A. It is.
25 Q. That's the front cover of it.

26 A. The front cover, yes.
27 MR. SNEDDON: No further questions, Your
28 Honor. 2669

1 THE COURT: It's time for our break.
2 (Recess taken.)
3 THE COURT: Counsel.
4 MR. MESEREAU: Thank you, Your Honor.
5
6 CROSS-EXAMINATION
7 BY MR. MESEREAU:
8 Q. Is it detective.
9 A. It's investigator.
10 Q. Investigator, okay. Okay.
11 Investigator, referring you to Item 313 --
12 A. Okay.
13 Q. -- which was just in front of you.
14 A. Yes.
15 Q. Whether you like this kind of material or
16 not, this is not illegal, is it.
17 A. Not as far as I know.
18 Q. Okay. In fact, you can get material like
19 this on amazon.com, correct.
20 A. I believe you can.
21 Q. Okay. Do you know if this was ever tested
22 for fingerprints.
23 A. I don't know that.
24 Q. Okay. You seized it, though, right.
25 A. I seized it, yes.
26 Q. Did you have gloves on.
27 A. I had gloves on during the search, yes.
28 Q. Who did you give this to. 2670

1 A. Detective Padilla.
2 Q. Okay. Did he have gloves on, to your
3 knowledge.
4 A. I really don't remember.
5 Q. Do you know if anybody ever suggested this
6 book be fingerprinted.
7 A. No, I wouldn't know that.
8 Q. I guess now that I've touched it, my prints
9 are on it, right.
10 A. That's correct.
11 Q. What is the procedure for having something
12 like this fingerprinted.
13 A. I really wouldn't know. That's kind of
14 beyond the scope of my involvement in the case.
15 Q. So you typically see something you want to
16 seize, you transport it to who you think is next in
17 the chain to receive it, right.

18 A. Well, in this case that's correct.
19 Q. Okay. And why were you giving it to this
20 person.
21 A. To Detective Padilla.
22 Q. Yes.
23 A. Because he was the person that was
24 designated as being in charge of logging and
25 packaging the evidence that was seized.
26 Q. Did you look and see what Detective Padilla
27 did with it.
28 A. I saw him put it in a bag. 2671

1 Q. Was that the last time you saw it until
2 today.
3 A. No. Until Tuesday.
4 Q. Okay. Okay. But you had no responsibility
5 at all to ensure or request fingerprint testing.
6 A. No. That was beyond the scope of my
7 involvement.
8 MR. MESEREAU: Okay. No further questions,
9 Your Honor.
10 THE COURT: Thank you.
11 MR. SNEDDON: No questions, Your Honor.
12 THE COURT: You may step down.
13 MR. SNEDDON: Conn Abel.
14 Would you have Conn come down.
15 MR. ELLIS: Yes, I will.
16 THE COURT: Please face the clerk and raise
17 your right hand.
18
19 CONN ABEL
20 Having been sworn, testified as follows:
21
22 THE WITNESS: Yes, I do.
23 THE CLERK: Please be seated. State and
24 spell your name for the record.
25 THE WITNESS: Conn Abel, A-b-e-l.
26 //
27 //
28 DIRECT EXAMINATION 2672

1 BY MR. SNEDDON:
2 Q. Hi, Mr. Abel. You're employed by the
3 sheriff's department, correct.
4 A. Yes, I am.
5 Q. You're going to have to lean into that
6 microphone here.
7 A. Yes.
8 Q. We're all having the same problem here.
9 How long have you been a deputy sheriff.

10 A. 30 years.
11 Q. In the course of your experience as a deputy
12 sheriff, how long have you been a detective.
13 A. I was a detective for eight years, and then
14 I supervised a detective -- narcotics detectives for
15 approximately two years.
16 Q. How long were you assigned to narcotics.
17 A. Eight years.
18 Q. Now, going back to November 18th of 2003,
19 were you involved in the execution of a search
20 warrant at Neverland Valley Ranch.
21 A. Yes, I was.
22 Q. And were you assigned certain
23 responsibilities in connection with that search.
24 A. Yes.
25 Q. And was one of the areas you were assigned
26 to search an area known as the arcade.
27 A. Yes, it was.
28 Q. And could you describe just basically to the 2673

1 ladies and gentlemen of the jury what the arcade
2 looked like, as you recall.
3 A. The bottom floor was a multitude of just
4 about every arcade game that you could possibly
5 think of, a photo booth.
6 The back of the arcade towards what I call
7 the north area of the arcade, was a storage room.
8 Outside the back door, there was some showers,
9 dressing rooms.
10 Upstairs in the arcade were a couple more
11 games. I believe there were a couple more games
12 upstairs.
13 And then as you walked through the door
14 up -- which I believe was like the north door of the
15 upstairs, there was a library.
16 Q. Is there a room that is called a cellar.
17 A. Yes, there is.
18 Q. And did you go down into the cellar --
19 A. Yes, I did.
20 Q. -- as part of your responsibilities.
21 A. Yes.
22 Q. And in the cellar, can you tell us whether
23 or not you saw any alcoholic beverages down there.
24 A. Yes, there were.
25 Q. Would you tell the jury what you saw and
26 where you saw it.
27 A. On a wall in the back of the -- what I call
28 the kitchen area, as you go down into the cellar, 2674

1 you would then make a right turn and go into the

2 main cellar area.
3 If you continued going right, you would then
4 go around another corner, and there was an entryway
5 into a little kitchen area. And in that kitchen
6 area there were bottles of wine on the wall, red and
7 white wine.
8 In a storage cabinet, there were just a
9 multitude of different types of liquor. Vodka,
10 whiskey, liqueurs. And then there were open bottles
11 of wine and liqueurs in the refrigerator.
12 Q. Do you remember the name of any of the
13 vodkas you saw there.
14 A. I do remember Smirnoff, Skyy, Grey Goose. I
15 think there was another one that was listed in the
16 report, Chopin. Maybe Chopin.
17 Q. Don't look at me. I don't drink that stuff.
18 A. I remember in the report, it said Chopin.
19 And I remember Skyy, Grey Goose, Smirnoff would be
20 for sure.
21 Q. Okay. Now, during the time that you were in
22 the cellar, did you seize any items of literature --
23 or books.
24 A. Yes, I did.
25 Q. And let me show you a couple of exhibits, if
26 I can.
27 Well, do you remember the number of books
28 that you took. Let me do it another way. Let me do 2675

1 it another way.
2 All right. Your Honor, for the record, I've
3 handed down -- and they've had a chance to examine
4 it. The first number is 581 for identification
5 purposes. It's a clear plastic bag that has inside
6 of it a brown bag with the numbers "#505" on it, and
7 it appears to contain several books.
8 Item 582 is another brown bag with "#508" at
9 the top right-hand corner. It's a brown bag that
10 contains a book.
11 And the last item, Your Honor, is Item 583,
12 with a black number "#509" in the upper right-hand
13 corner.
14 All right. Detective Abel, with
15 regard to -- let's start with the first one, if we
16 can, which is 581. Do you see that bag.
17 A. Yes, I do.
18 Q. And with regard to the brown bag that's
19 inside it, it has several books, correct.
20 A. Yes, it does.
21 Q. Would you remove the books and examine them
22 for a moment, if you would.
23 All right. With regard to the three books
24 that you took out of the item marked as 581 for

25 identification purposes, do you recognize those
26 three books.
27 A. Yes, I do.
28 Q. Could you tell the ladies and gentlemen of 2676

1 the jury where those books were located the first
2 time that you saw them.
3 A. The books were located -- as I mentioned
4 before, you went into the library, and you continued
5 to the right into the main area. I'm sorry, of the
6 cellar. You continue into the right, and then
7 straight ahead to the right there would have been a
8 wine rack on the wall, which did not have wine in
9 it. Kind of in the left lower corner of that wine
10 rack that was on the wall, these books were sitting
11 in the wine rack.
12 Q. You mentioned before there was a wine rack
13 with wine in it. Where was that located in
14 relationship to this one where the books were found.
15 A. That would have been in the kitchen area.
16 That would have been continuing on to the right
17 around the corner and into the kitchen area.
18 Q. So this is in the larger area.
19 A. This is in the main -- the main cellar area.
20 Q. Are those books in the same condition that
21 they were on the day that you seized them.
22 A. They appear to be, yes.
23 Q. And when you obtained those books and
24 decided to seize those books, what did you do with
25 them.
26 A. I gave those -- these books -- I instructed
27 Detective Cooley to retain those books as evidence.
28 Q. And by "these books," do you mean the ones 2677

1 that were inside the bag marked "581".
2 A. Yes, sir. There are three books total.
3 Q. Correct.
4 A. Yes.
5 Q. That you gave to Detective Cooley.
6 A. Yes.
7 Q. That were in 581.
8 A. Yes.
9 MR. SNEDDON: Move they be admitted into
10 evidence, Your Honor.
11 MR. MESEREAU: No objection.
12 THE COURT: All right. They're admitted.
13 That's 581, 582 and 583.
14 MR. SNEDDON: Would you put those back in the
15 bag right now.
16 THE COURT: No, those are -- just 581. Those

17 are all books within 581.
18 MR. SNEDDON: Yes, sir.
19 THE COURT: Okay.
20 Q. BY MR. SNEDDON: Now, let's turn our
21 attention to 582, if we can.
22 A. Yes, sir.
23 Q. And would you examine the contents of 582,
24 please.
25 All right. Do you recognize the book that
26 you took out of the bag marked as 582 for
27 identification purposes.
28 A. Yes, I do. 2678

1 Q. And where was that book located the first
2 time that you saw it.
3 A. It was in a cardboard box that was located
4 in the upstairs library.
5 Q. So we're out of the cellar now; is that
6 correct.
7 A. Yes, sir.
8 Q. And we're on the second floor of the arcade.
9 A. Yes.
10 Q. And there's a library up there.
11 A. Yes.
12 Q. And this was located where in relationship
13 to the actual library books.
14 A. If I could explain. As you entered into the
15 library, there were rows and racks of built library
16 racks where books would fit in them.
17 However, in the room, it was jam-packed full
18 of bags and boxes that were stacked throughout the
19 library also. This happened to be in a cardboard
20 box that was stacked in the library.
21 Q. Okay. And after you determined to take the
22 item marked as 582, who did you give that item to,
23 if anyone.
24 A. Detective Cooley again.
25 Q. With the same process.
26 A. Yes, sir.
27 Q. And does that book appear to be in the same
28 condition it was at the time that you seized it on 2679

1 November the 18th of 2003.
2 A. Yes.
3 MR. SNEDDON: Your Honor, move it be
4 admitted into evidence.
5 MR. MESEREAU: No objection, Your Honor.
6 THE COURT: It's admitted.
7 MR. MESEREAU: I'll say no further
8 objection.

9 Q. BY MR. SNEDDON: Now, lastly, let's go to
10 the item that's marked as Exhibit 583 for
11 identification purposes. Do you recognize that
12 book.

13 A. Yes, I do.

14 Q. And where was the item -- the book that
15 you've taken out of 583, where was that located the
16 first time that you saw it.

17 A. In a box in the library, a cardboard box
18 within the library.

19 Q. Do you know whether or not it was in the
20 same kind of cardboard box as the other exhibit or
21 in a different one.

22 A. I seem to recall it was together, but I
23 can't recall exactly for sure if they were in the
24 same box or if they were in a box -- it was in a box
25 right next to that one.

26 Q. Okay. Fair enough.

27 And is it in the same condition that it was
28 at the time you first saw it. 2680

1 A. Yes.

2 Q. And did you follow the same process with
3 regard to giving that to Deputy Cooley.

4 A. Yes, I did.

5 Q. All right. Why don't you put that back in
6 there, if we could.

7 And, Your Honor, I would move it be admitted
8 into evidence.

9 MR. MESEREAU: No objection. No further
10 objection.

11 THE COURT: It's admitted.

12 You don't have to say that. I understand
13 the other hearing you reserved those objections.

14 MR. MESEREAU: Thank you, Your Honor.

15 MR. SNEDDON: Your Honor, for the record,
16 I want to indicate that the first item I showed
17 counsel was a brown paper bag with a figure "#1001"
18 and "#1001," capital "A" in the upper right-hand
19 corner.

20 And within that brown bag, there are two --
21 the brown bag, the items inside are marked for
22 identification purposes separately, but I think I
23 probably should put a separate one on the brown bag
24 itself just for purposes of housekeeping.

25 Is that the recommendation of the clerk and
26 the Court.

27 THE COURT: Yes.

28 MR. SNEDDON: All right. Thank you. 2681

1 So the record will be complete then, Your
2 Honor, the brown bag itself is going to be marked as
3 714 for identification purposes. And the plastic
4 bag inside of 714 that contains a brown bag has been
5 marked as 584. And the second clear plastic bag
6 which contains a white binder is 585. So 584 and
7 585 are inside of the 714.
8 The second item is another brown bag, Your
9 Honor, that has "#1002" and "#1002," capital "A,"
10 and I'm affixing the evidence stamp as Evidence
11 Stamp No. 716 for identification purposes.
12 And these items I've shown to counsel. And
13 they contain items that are marked for
14 identification purposes as 586, which is a clear
15 plastic bag containing a brown bag. And the second
16 item is 587, which contains a clear plastic bag with
17 a white binder with the "Item 1002" on the front of
18 it.
19 And then lastly, Your Honor, I have shown
20 counsel two photographs. The first one is marked as
21 People's 713 for identification purposes. And the
22 second one is Exhibit No. 715 for identification
23 purposes.
24 Q. All right. Detective Abel, let me ask you
25 this: In addition to the areas that you've
26 described to the ladies and gentlemen of the jury
27 that you searched that day, was there another area
28 that you were assigned to search. 2682

1 A. Yes, there was.
2 Q. And what area was that.
3 A. That was what is referred to as the museum
4 and/or Mr. Jackson's office area.
5 Q. And in that particular office area, were
6 there some -- were there some items that you seized.
7 A. Yes.
8 Q. And with regard to the exhibits that are in
9 front of you that are marked as -- I'm sorry, the
10 first brown bag is what, seven --
11 A. 716.
12 Q. 7 -- no, on the tag. The evidence tag. The
13 manila one right where your hand is.
14 A. It says Exhibit 716.
15 Q. Oh, okay. And the second one.
16 A. 714.
17 Q. Okay. Now, with regard to those two
18 exhibits, 716 and 714, where within the office were
19 they found.
20 A. They were in a rest room area of the office.
21 And as you entered the rest room, the toilet area
22 would have been to the right. To the left was a
23 sink/cabinet area.

24 And the magazines, if you opened up the
25 middle drawers -- doors of the cabinet, they were on
26 a flat shelf underneath that cabinet.
27 MR. SNEDDON: Your Honor, I have shown
28 counsel two photographs that have been marked 2683

1 previously for identification purposes as 105 and
2 106 for identification purposes.

3 Q. Detective, with regard to the photographs,
4 People's Exhibit 105, do you recognize what's
5 depicted in that photograph.

6 A. Yes.

7 Q. Is that an accurate depiction of what it
8 purports to represent.

9 A. Yes.

10 Q. With regard to 106, is that an accurate
11 depiction of what it purports to represent.

12 A. Yes.

13 Q. With regard to --

14 Your Honor, I move they be admitted into
15 evidence.

16 THE COURT: They're admitted.

17 Q. BY MR. SNEDDON: Now, if we can just have --
18 I'll get them from you.

19 Your Honor, I'm going to use the Elmo for
20 the next few minutes.

21 Now, that is Exhibit 105. Do you recognize
22 that.

23 A. Yes, I do.

24 Q. Could you tell the ladies and gentlemen of
25 the jury what that photograph depicts.

26 A. It's the cabinet that would be on the
27 left-hand side as you walk in, and that would be the
28 right-hand side of that sink/cabinet area as you 2684

1 looked at it and you opened it up.

2 Q. And with regard to the photograph, or the
3 magazine depicted in that photograph, is that one of
4 the magazines that you took from that area.

5 A. Yes.

6 Q. And do you know whether that would be the
7 item contained in 716 or 714.

8 A. I'd have to look real quick.

9 Q. Why don't you do that for us, please. It
10 should have a separate exhibit number on it, so feel
11 free to pull those out, because I'm going to ask you
12 some more questions.

13 A. It would be the one that was in Exhibit 714.

14 Q. And it has a separate identification number
15 that's on the brown bag in front -- I'm sorry. In

16 the plastic bag you just pulled out, what's the
17 number on that.
18 A. 585.
19 Q. All right. The white binder, 585, contains
20 the magazine depicted in the photograph, correct.
21 A. Yes.
22 Q. All right. Now, do you see the photograph
23 that we've placed on the board, which is 106, I
24 believe.
25 A. Yes. Yes, I do.
26 Q. And what is that.
27 A. That was the left-hand side of the cabinet
28 that would -- with a door on it that you could open 2685

1 up.
2 Q. And does that photograph depict the location
3 of the item that you seized.
4 A. Yes, it does.
5 Q. And the item itself.
6 A. Yes.
7 Q. Okay. Now, when you seize -- by the way, we
8 should tie up a loose end here.
9 With regard to the photograph, 106, and the
10 magazine depicted in that photograph, the exhibit --
11 which one of the large brown bags did that come out
12 of. That would be 716.
13 A. That's the one that's up there now.
14 Q. Yes, sir.
15 A. 716.
16 Q. All right. Would you please take those
17 exhibits out.
18 And you're removing the plastic sleeve from
19 the white binder. I can't even talk.
20 A. That is marked 587.
21 Q. 587.
22 A. Yes, sir.
23 Q. Okay. Now, please look at the first page of
24 that, if you would. Do you recognize that.
25 A. Yes, I do.
26 Q. And is that the magazine that you seized on
27 November 18th.
28 A. It's in a little different condition, but, 2686

1 yes.
2 Q. It wasn't all put in a binder at that time.
3 A. That's correct.
4 Q. It's the way it was depicted in the
5 photograph.
6 A. Yes.
7 Q. All right. Now, you have -- and why don't

8 you leave those out for just a second. There's two
9 additional photographs that I presented to you up
10 there.

11 A. Yes, sir.

12 Q. Okay. And with regard to -- what are the
13 numbers of those photographs.

14 A. 713.

15 Q. Okay.

16 A. And 715.

17 Q. All right. Let's talk about 713. Does 713
18 accurately depict the front cover of the magazine
19 you took out of the Exhibit 716.

20 A. Yes, it does.

21 Q. It's an accurate depiction of that.

22 A. Appears to be, yes.

23 Q. And then let's go to 715. That photograph,
24 can you compare that to the front page of the
25 exhibit that came out of seven -- 714. Or just give
26 me the exhibit number. That's fine.

27 A. It came out of 585. The 715, which is
28 marked, which is the paper you gave me, is an 2687

1 accurate depiction of the front page of the magazine
2 that I took from that cabinet.

3 MR. SNEDDON: Okay. So, Your Honor, I'd
4 move that 713 and 715 be admitted into evidence.

5 THE COURT: They're admitted.

6 MR. SNEDDON: Your Honor, just a
7 housekeeping matter. I did move 105 and 106 in
8 evidence.

9 THE CLERK: (Nods head up and down.)

10 MR. SNEDDON: Thank you, Your Honor.

11 Q. All right. I'm going to place 713 on the
12 board, on the Elmo.

13 All right. That's the photograph that you
14 identified as being a depiction of the front cover
15 of the item you seized; is that correct.

16 A. Yes, sir.

17 Q. All right. And the next exhibit.

18 That one is marked as 715, correct.

19 A. Yes, sir.

20 Q. And is that the photograph that you
21 identified as being an accurate depiction of the
22 front cover of that magazine that you took.

23 A. Yes, it is.

24 MR. SNEDDON: All right. I think we can
25 have the lights now, Your Honor.

26 Q. Actually, I guess I should probably show
27 those books. Might as well do that and get that
28 over with, and then I have only one more question to 2688

1 ask. Why don't you hand me those.
2 All right. We're going to just ask you
3 to -- from the three books that are in five -- it's
4 an oversized book, but is that the title of the book
5 that you seized.
6 A. Yes, it is.
7 Q. Do you remember why you seized it.
8 A. It depicted male and female nudes. Some, if
9 not -- I'm not sure how many, but it would appear
10 that they were adolescent or young in appearance.
11 Q. Okay. And the second book. Doesn't have a
12 title. But do you remember that book.
13 A. Yes, I do.
14 Q. I'm sorry, I guess it does on the -- it's
15 called "Drew and Jimmy." Do you recall that.
16 A. Yes, I do.
17 Q. With regard to that book, do you recall why
18 you took that book.
19 A. I recall that it depicted males that were
20 either nude and/or semi-nude.
21 Q. And the last book is called "Room to Play."
22 Do you recall why you seized that book.
23 A. Because it depicted male and/or female
24 young-appearing individuals that were nude and/or
25 semi-nude.
26 Q. The next one I'm going to show you is from
27 582. It's in evidence. Do you recall that.
28 A. Yes, I do. 2689

1 Q. And the reason that you took that.
2 A. It depicted males and/or females that looked
3 and/or appeared to be youthful, nude and/or
4 semi-nude.
5 Q. Now, with regard to -- do you see the front
6 part of the face on this particular exhibit.
7 A. Yes, I do.
8 Q. 582.
9 A. Yes.
10 Q. Was that the condition of the book at the
11 time that you seized it.
12 A. Yes, sir.
13 Q. And then the last one that's in People's
14 583, which is called Cronos.
15 A. Yes.
16 Q. For the court reporter, that's C-r-o-n-o-s.
17 And do you recognize that item.
18 A. Yes, I do.
19 Q. And why did you take that.
20 A. It has a multitude of pictures in it showing
21 photographs of individuals from a youthful age to an
22 older age, nude and semi-nude.

23 Q. All right. Thank you.
24 All right. I believe we can have the lights
25 back on, Your Honor.
26 MR. MESEREAU: I thought you were through.
27 MR. SNEDDON: No, almost.
28 All right. The last item that I have with 2690

1 this witness is a large plastic case that we have
2 had marked -- and I've shown it to counsel -- we've
3 had marked as 717 for identification purposes, and
4 has on the front of it a white sheet of paper with
5 the Item No. 1009 for tracking purposes.

6 Q. Now, Detective Abel, I've handed you the
7 Exhibit 717, the black case.

8 A. Yes, sir.

9 Q. Are you familiar with that.

10 A. Yes, I am.

11 Q. And where was that item the first time that
12 you saw it.

13 A. It was in what I'd describe as a closet
14 area, closet/storage area of the main -- or Mr.
15 Jackson's museum or office.

16 Q. And with regard to that particular item, was
17 it open or closed at the time that you took it. I'm
18 sorry, I want to rephrase that. Was it open or
19 closed at the time you first saw it.

20 A. Closed.

21 Q. And did you open it up.

22 A. Yes, I did.

23 Q. And would you describe to the ladies and
24 gentlemen -- first of all, let me go back, just to
25 do a little foundation here.

26 You told the ladies and gentlemen of the
27 jury that you worked narcotics for a while; is that
28 correct. 2691

1 A. Yes, I did.

2 Q. Quite a while, actually.

3 A. Yes.

4 Q. And in the course of working narcotics, did
5 you become familiar with surveillance equipment.

6 A. Yes, I did.

7 Q. Did you become familiar with equipment that
8 is used to monitor telephone calls.

9 A. Yes, I did.

10 Q. And with regard to the Exhibit 717 that you
11 found in Mr. Jackson's closet in Mr. Jackson's
12 office, with regard to that particular exhibit, when
13 you opened it up, did you recognize what was inside.

14 A. Yes, I did.

15 Q. And tell the ladies and gentlemen of the
16 jury what was inside.
17 A. There was a large tape-recorder capable of
18 accepting multiple headsets. There's wire packages
19 in there. There's a suction cup that would be
20 utilized to monitor phone calls. There's wires that
21 would plug into it that have adapters that go into
22 phone receptors. There's extendable -- not
23 "extendable." There's small little, what we'd call,
24 to a degree, pinpoint, pinhole-type microphones that
25 are in there that have adapters or have the fittings
26 on it that fit into that type of recorder.
27 So in my opinion, it was used to monitor
28 activity, conversations on the phone and/or off the 2692

1 phone.

2 Q. Now, with regard to the exhibit itself, when
3 you opened it up, were there any written materials
4 inside.

5 A. Yes, there were.

6 Q. What were they.

7 A. There's a business card for a private
8 investigator inside of it. There are price lists
9 for the itemized items. There are detailed
10 instructions on how to monitor and video-surveil a
11 room. There's detailed instructions on how to
12 operate and tape phone calls.

13 Q. Were the instructions the kind that were
14 preprinted or were they in some handwritten form;
15 do you recall.

16 A. There's some of both in there.

17 Q. Some of both.

18 A. Some of both.

19 Q. Okay. Now, with regard to the Item 717,
20 after you seized it and took it into your
21 possession, what did you do with it.

22 A. I gave it to Detective Cooley to package as
23 evidence.

24 Q. And does it appear to be in the same
25 condition now as it was when you seized it.

26 A. Yes, sir.

27 Q. And with regard to the contents of it, I
28 asked you during your three days of waiting here to 2693

1 open it up and inspect the items inside, correct.

2 A. Yes, you did.

3 Q. And those items are in the same condition as
4 when you turned it over to Deputy Cooley.

5 A. Yes.

6 MR. SNEDDON: Your Honor, move 717 be

7 admitted into evidence.
8 MR. MESEREAU: Relevancy.
9 THE COURT: It's admitted.
10 Q. BY MR. SNEDDON: Detective, in your
11 experience, and based upon your training and your
12 years as a narcotics officer, could you tell the
13 ladies and gentlemen of the jury whether or not it
14 is legal for someone to listen in to or monitor
15 another person's telephone call.
16 MR. MESEREAU: Objection. Relevance; no
17 foundation.
18 THE COURT: It calls for a legal conclusion.
19 I'll sustain the objection.
20 Q. BY MR. SNEDDON: Are you familiar with the
21 existence of laws that proscribe the conduct of
22 listening in to other people's telephone calls.
23 A. Yes, sir.
24 Q. And did you have to learn those in
25 connection with your responsibilities as a narcotics
26 officer and as a sheriff, deputy sheriff.
27 A. Yes, sir.
28 MR. SNEDDON: Nothing further, Your Honor. 2694

1 THE COURT: Cross-examine.
2 MR. MESEREAU: Yes, please.
3
4 CROSS-EXAMINATION
5 BY MR. MESEREAU:
6 Q. With respect to that equipment you just
7 described --
8 A. Yes, sir.
9 Q. -- did you ever determine if it had ever
10 been used.
11 A. It appears to have been, yes.
12 Q. Why do you say that. Did you test it.
13 A. I did not test it, no.
14 Q. Then how do you know it's been used.
15 A. A lot of the wiring indeed has been
16 re-manipulated. It doesn't appear to be new
17 condition. It appears to be scratched, appears to
18 be used. Appears to be in an older condition.
19 Q. You didn't test to see if it's ever been
20 used, did you.
21 A. No, I did not.
22 Q. Do you know where that came from, that
23 equipment.
24 A. Came from the office area in Mr. Jackson's
25 office.
26 Q. Do you know where it was purchased.
27 A. I do not.
28 Q. Do you know if it was lawfully purchased. 2695

1 A. I would only assume no.
2 Q. You can buy that equipment, can't you.
3 A. Law enforcement can, I know.
4 Q. You don't really know if you can buy that
5 lawfully or not, do you.
6 A. Possibly if I went to the appropriate store
7 I could maybe get some of that stuff.
8 Q. A citizen of the United States can go to a
9 store and buy that stuff, can't they.
10 A. I -- I'm not sure about the microphones.
11 No, sir, I don't know about that.
12 Q. So what you're saying is you don't know,
13 right.
14 A. About --
15 Q. Whether an ordinary citizen can lawfully
16 purchase that equipment or not, right.
17 MR. SNEDDON: Your Honor, object as
18 argumentative.
19 THE COURT: Overruled.
20 THE WITNESS: You could say that I guess I
21 really don't know for sure.
22 Q. BY MR. MESEREAU: And you don't know how
23 that equipment ever got to Neverland, do you.
24 A. No, sir.
25 Q. You don't know if it was given to Mr.
26 Jackson or purchased, right.
27 A. There's prices in there, so I could only
28 assume that it was purchased. 2696

1 Q. Well, if someone gave it to Mr. Jackson,
2 they'd have probably purchased it first, wouldn't
3 they.
4 MR. SNEDDON: Your Honor, I'm going to
5 object. Assumes facts -- calls for a conclusion.
6 Speculation.
7 THE COURT: It's argumentative. Sustained.
8 MR. MESEREAU: Okay.
9 Q. You don't know where that originated, do
10 you.
11 MR. SNEDDON: Object; argumentative.
12 THE COURT: Overruled.
13 You may answer.
14 THE WITNESS: If you want -- if you wanted me
15 to look inside there, there's a company in there,
16 and I can tell you the name of the company.
17 Q. BY MR. MESEREAU: Even if you knew the name
18 of the company, you wouldn't know how that got to
19 Neverland, would you.
20 A. No, sir. But you asked me if I knew where
21 it was originated.

22 Q. That equipment appeared to be associated
23 with a private investigator, true.
24 A. I -- I didn't seize it. And when I opened
25 it up and looked at it, I didn't seize it for that
26 purpose. And I didn't know at the time it was
27 associated with a private investigator, no, sir.
28 Q. I'm not asking what the purpose was in 2697

1 seizing it. I'm just asking you if -- from what you
2 saw when you looked at that equipment, did it appear
3 it could be associated with a private investigator.
4 MR. SNEDDON: Your Honor, I'm going to
5 object again. It calls for a conclusion and
6 speculation.
7 THE COURT: Overruled.
8 THE WITNESS: At the time that I seized it,
9 I did not know that it was associated with a private
10 investigator, no, sir.
11 Q. BY MR. MESEREAU: My question was different.
12 My question was, based on what you saw when you
13 examined that equipment, did you think you had
14 reason to believe it was associated with a private
15 investigator. Yes or no.
16 A. No.
17 Q. What about the card you just described for
18 the jury. Tell them what was on the card, please.
19 MR. SNEDDON: Your Honor, there are two
20 questions.
21 THE WITNESS: You asked me two questions,
22 sir.
23 MR. MESEREAU: I did, and I'm sorry.
24 I'll withdraw it, Your Honor.
25 Q. Please tell the jury what was on that card
26 that you found with the equipment.
27 A. Do you want me to open it up and look at it.
28 I can tell you exactly what's on it. 2698

1 Q. Sure.
2 A. The exact wording on the card is "General,
3 Special and Electronic Investigations. California
4 License P19356. James A. Lupori, Private
5 Investigator, P.O. Box 4250, Culver City, California
6 90231. Telephone number (310)390-8384." And "Fax,
7 (310)397-9563."
8 Q. That was in the material. Is that where you
9 found the card.
10 A. Yes, sir.
11 Q. Okay. And for the jury's benefit, the card
12 mentions a number on it. And I don't mean the phone
13 number. It mentions a -- what really appears to be

14 a license number, correct.
15 A. Yes, sir.
16 Q. For a licensed investigator, correct.
17 A. Could be, yes.
18 Q. Could be. What did you think it was.
19 A. There's a license on there. But whether
20 it's actually a license number for that individual
21 or not, I don't know, because I didn't investigate
22 that.
23 Q. Well, putting an investigation aside, you,
24 as an investigating officer, look at a card like
25 that. It gives a name. It mentions investigations.
26 It gives a number.
27 Did it ever occur to you that might be a
28 license number for a California licensed 2699

1 investigator.
2 A. Could be.
3 Q. Did it ever occur to you that it might be.
4 A. It occurred to me that it couldn't be also.
5 Q. Okay. All right. So basically you didn't
6 care.
7 A. No, I did care. I just don't know whether
8 P19356 is actually a license number that would be
9 associated with a private investigator, and/or this
10 individual, sir. That's what I'm trying to say.
11 Q. Did you ever check out whether the name on
12 the card and the phone number worked.
13 A. No, sir.
14 Q. Okay. Did you think that was part of the
15 scope of your responsibilities.
16 A. No, sir.
17 Q. Okay. Did you prefer to just avoid that
18 issue.
19 MR. SNEDDON: Object as argumentative, Your
20 Honor.
21 THE COURT: Sustained.
22 Q. BY MR. MESEREAU: Did you ever ask to have
23 anybody test the equipment at any stage of this
24 investigation.
25 A. No, sir.
26 Q. Based upon what you knew of Neverland Ranch,
27 did it ever occur to you that security might be a
28 concern to Mr. Jackson. 2700

1 A. Yes.
2 Q. Now, let me ask you this: If you're in your
3 house, and you have a phone system, and you pick up
4 your phone and somebody -- you're upstairs and
5 somebody downstairs is speaking on the phone and you

6 listen, have you committed a crime.
7 MR. SNEDDON: Your Honor, I'm going to
8 object. Calls for a legal conclusion. That's --
9 THE COURT: Sustained.
10 Q. BY MR. MESEREAU: Are there any other
11 documents in that case.
12 A. Yes, there are.
13 Q. Would you please tell the jury what those
14 documents are.
15 A. Sure.
16 The first document has handwritten, "Video
17 Briefcase Surveillance System with Audio." It says,
18 "Video Briefcase." It has a description of what
19 would be in a video briefcase. It has handwritten,
20 "\$4,995," tax, UPS, a total of \$5,443.59, and the
21 word "Total," and that is on one sheet.
22 The next sheet looks to be either off a
23 computer and/or a typewriter. It is printed
24 instructions for voice-operated telephone recording,
25 professional ten-hour recorder. It has Items 1
26 through 6 of how to, I believe, operate that type of
27 system.
28 The next one is "Equipment For Law 2701

1 Enforcement Agencies, Professional UHF Transmitters
2 and Receivers, Crystal Controlled." It has a
3 multitude of -- one, two, three, four, five, six,
4 seven -- seven separate types of wireless
5 transmitters, and a list of optional equipment that
6 could be purchased.
7 And then it says "Other Equipment Systems
8 for Law Enforcement and Export." And it talks about
9 vehicle tracking, video transmitters, specialized
10 video and optical systems, thermal imaging, et
11 cetera.
12 Q. Let me ask you this: Do any of those
13 documents appear to relate to a security system.
14 A. No, sir.
15 MR. MESEREAU: May I approach, Your Honor.
16 THE COURT: Yes.
17 Q. BY MR. MESEREAU: Sir, I'm showing you one
18 of the documents. It says, "Remote Room Audio
19 Monitor." Do you see that.
20 A. Yes, I do.
21 Q. It talks about a phone jack, it talks about
22 an answer relay, it talks about a microphone,
23 correct.
24 A. Yes, it does.
25 Q. It says, "Call answer relay from any
26 telephone anywhere in the world." Do you see that.
27 A. Yes, I do.
28 Q. You also see another -- what appears to be a 2702

1 drawing, correct.
2 A. Yes, I do.
3 Q. Does it say on it "Video Surveillance System
4 with Audio".
5 A. Yes, it does.
6 Q. Does it talk about how to set a video
7 monitor with three screens.
8 A. Part of it, yes, sir.
9 Q. Does it talk about an infrared light source
10 for a target area for night illumination.
11 A. Yes, sir.
12 Q. Does it refer to a video monitor with a
13 nine-inch screen.
14 A. Yes, sir.
15 Q. Does it refer to an infrared -- excuse me.
16 Does it refer to a miniature camera with a
17 transmitter.
18 A. It does, yes.
19 Q. Does it talk about a clock video camera.
20 A. Let me -- talks about that. Smoke alarm, et
21 cetera, cameras.
22 Q. Are you telling the jury it never occurred
23 to you that might relate to a security system,
24 Officer.
25 A. I'm not sure that it -- in totality, no,
26 it --
27 Q. So you think that had nothing to do with
28 security at Neverland. Is that what you're telling 2703

1 the jury under oath.
2 A. I don't know what to tell you. It looks
3 like -- I mean, this document here, telephone taping
4 system. I don't know what to tell you, except I
5 know that that doesn't relate to security. That
6 relates to the items that are in here for taping
7 telephone calls.
8 Q. The items you just agreed that are described
9 on that document do not relate to a possible
10 security system at Neverland.
11 A. I guess you could say -- I could say yes, it
12 could.
13 Q. Okay. You never checked that out, correct.
14 A. No, sir. It wasn't -- it was not in the
15 rooms that I was associated with.
16 Q. Okay. Did you ever go to any security
17 personnel at Neverland, show it to them and say,
18 "Have you seen this before. Do you know why it's
19 here."
20 A. No, I did not.

21 Q. Okay. Do you know if anybody ever did.
22 A. I do not know.
23 Q. Now, you certainly know that Neverland is a
24 rather large area, correct.
25 A. Yes, sir.
26 Q. You have a main gate with security personnel
27 when you enter, correct.
28 A. Yes. 2704

1 Q. It's about a 2800-acre ranch, true.
2 A. Yes, sir.
3 Q. You have got security personnel working
4 throughout Neverland, correct.
5 A. Yes.
6 Q. Did you ever see any surveillance-type
7 equipment at Neverland while you were there.
8 A. I don't recall seeing surveillance
9 equipment, sir.
10 Q. Now, obviously you knew when you went there
11 that Michael Jackson is one of the world's most
12 famous entertainers, right.
13 A. Sure.
14 Q. And you knew that he routinely travels with
15 security personnel to protect him, correct.
16 A. Correct.
17 Q. And did it ever occur to you that security
18 might be a real concern at Neverland.
19 A. Could be.
20 Q. Could be.
21 A. Yes, sir.
22 Q. But you're not sure.
23 A. Well, he has a lot of people going there.
24 I don't know exactly what kind of security he may
25 have. He has a multitude of people in and out of
26 there on a regular basis, so I don't know what kind
27 of security he may have established.
28 Q. Did you ever sit down with any of the 2705

1 government prosecutors and discuss that equipment.
2 A. No.
3 Q. Did you ever talk to Mr. Sneddon about what
4 you were going to say today when you took the
5 witness stand.
6 A. No, I did not.
7 Q. Did you just take the stand without ever
8 discussing your testimony at all with him.
9 A. I don't think I discussed with him what I
10 was going to testify to, no, sir.
11 Q. Okay. When you found that equipment, what
12 is the first thing you did with it.

13 A. I looked at it, and gave it to the officer
14 to book as evidence.
15 Q. Okay. Which officer was that.
16 A. That was Detective Cooley.
17 Q. Do you know if the equipment was ever
18 fingerprinted.
19 A. No, sir, I do not.
20 Q. Did you ever request that it be
21 fingerprinted.
22 A. I was not in that part of the investigation.
23 Q. Have you ever learned at any point whether
24 or not it was fingerprinted.
25 A. I don't know.
26 Q. Okay. Now, when you were at Neverland, did
27 you investigate the kinds of security systems in
28 place at Neverland. 2706

1 A. No, sir.
2 Q. Do you know whether or not, for example,
3 there are cameras that might indicate whether or not
4 someone is entering or leaving.
5 A. I do not know that.
6 Q. Do you know whether or not there are cameras
7 that might indicate whether or not someone's
8 entering or leaving the main residence.
9 MR. SNEDDON: Your Honor, I'm going to
10 object. He's already said he didn't do anything.
11 Lack of foundation.
12 I object. Immaterial.
13 THE COURT: I'm going home.
14 (Laughter.)
15 See you Monday.
16 (The proceedings adjourned at 2:30 p.m.)
17 --o0o--
18
19
20
21
22
23
24
25
26
27
28 2707

1 REPORTER'S CERTIFICATE
2
3
4 THE PEOPLE OF THE STATE)

5 OF CALIFORNIA,)
6 Plaintiff,)
7 -vs-) No. 1133603
8 MICHAEL JOE JACKSON,)
9 Defendant.)

10
11

12 I, MICHELE MATTSON McNEIL, RPR, CRR,
13 CSR #3304, Official Court Reporter, do hereby
14 certify:
15 That the foregoing pages 2522 through 2707
16 contain a true and correct transcript of the
17 proceedings had in the within and above-entitled
18 matter as by me taken down in shorthand writing at
19 said proceedings on March 17, 2005, and thereafter
20 reduced to typewriting by computer-aided
21 transcription under my direction.
22 DATED: Santa Maria, California,
23 March 17, 2005.

24
25
26

27 MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304
28 2708