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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. )

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17 REPORTER'S TRANSCRIPT OF PROCEEDINGS

18

19 WEDNESDAY, MAY 11, 2005

20

21 8:30 A.M.

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23 (PAGES 9804 THROUGH 9881)

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

28 BY: Official Court Reporter 9804

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2

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28 9805

1 I N D E X

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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.

7

8

9 DEFENDANT'S

10 WITNESSES DIRECT CROSS REDIRECT RECROSS

11 MARCUS, Joseph 9807-A

12 (Contd.)

13 9810-SA (Further)

14 CULKIN,

15 Macaulay 9813-M 9828-Z 9865-M 9876-Z

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1 Santa Maria, California

2 Wednesday, May 11, 2005

3 8:30 a.m.

4

5 THE COURT: Good morning, everyone.

6 THE JURY: (In unison) Good morning.

7 THE COURT: Counsel? You may proceed.

8

9 JOSEPH MARCUS

10 Having been previously sworn, resumed the

11 stand and testified further as follows:

12

13 RE-CROSS-EXAMINATION (Continued)

14 BY MR. AUCHINCLOSS:

15 Q. Good morning, Mr. Marcus.

16 A. Good morning.

17 Q. I just have a few more questions and we'll

18 be done.

19 A. Okay.

20 Q. First of all, you mentioned in your

21 testimony yesterday that you were -- I believe you

22 were present when the Britto party was held at

23 Neverland; is that correct?

24 A. That's correct.

25 Q. And do you recall which month that party

26 occurred?

27 A. I believe it was September.

28 Q. September of '03? 9807

1 A. I believe so.

2 Q. And do you know who was the organizer of  
3 that party?

4 MR. SANGER: I'm going to object. That's  
5 beyond the scope of direct, and relevance.

6 THE COURT: Sustained.

7 Q. BY MR. AUCHINCLOSS: Mr. Marcus, you  
8 mentioned that Mr. Salas called you on the night of  
9 the 12th, or the early morning hours of the 12th,  
10 when the Arvizos left Neverland; is that correct?

11 The 12th of February?

12 A. I believe so.

13 Q. Okay. Are you uncertain of that?

14 A. I'm uncertain of the date. He called me,  
15 yes.

16 Q. Did Mr. Salas actually talk to you that  
17 night?

18 A. I believe so. I believe he was at the front  
19 gate and the officer actually dialed the number and  
20 I believe Jesus got on the phone.

21 Q. So you actually had a phone conversation  
22 that night with somebody from Neverland at  
23 approximately one o'clock in the morning?

24 A. I thought it was later than one o'clock, but  
25 I could be mistaken.

26 Q. Sometime in the early morning hours of that  
27 morning?

28 A. I believe so. 9808

1 Q. Finally, during your interview with the  
2 investigator when the warrant was served at  
3 Neverland back in November of '03, at some point did  
4 you ask the interviewer to turn the tape-recorder  
5 off?

6 A. Yes.

7 Q. And that was right when you were being  
8 questioned about children sleeping in Michael  
9 Jackson's room, wasn't it?

10 A. Yes.

11 Q. And you never answered that question, did  
12 you?

13 A. I believe I did.

14 Q. Well, wasn't your next statement, "How many  
15 more questions do we have?" after you said, "Could  
16 you shut that off a minute?"

17 A. I believe I finished the interview as was  
18 directed by the investigator.

19 Q. Okay. My question is, didn't you say --  
20 after you asked the investigator to shut off the  
21 recorder, wasn't your next answer, "Okay. I" --  
22 "How many more questions do we have?" That's the  
23 question I'm asking. Did you say that?

24 A. I believe so.

25 Q. And then she said, "One," and you said,  
26 "Could we just move on to the next question?" Isn't  
27 that what you told the interviewer?

28 A. I believe there was a little bit more to the 9809

1 question, but, yes.

2 Q. Well, did you say something else? Is that  
3 what you're telling us, or is that an accurate  
4 depiction of what was stated?

5 A. I believe you have it right in front of you,  
6 if you would like to read it.

7 Q. My question is, is that -- is what I've just  
8 read to you or what I've just told you consistent  
9 with your recollections of the event?

10 A. Yes.

11 MR. SANGER: I'm going to object. It's  
12 asked and answered.

13 THE COURT: Overruled. The answer is in.

14 Next question.

15 MR. AUCHINCLOSS: Thank you. I have no  
16 further questions.

17 THE WITNESS: Thank you.

18 THE COURT: Mr. Sanger?

19 MR. SANGER: Yes, thank you.

20

21 FURTHER REDIRECT EXAMINATION

22 BY MR. SANGER:

23 Q. Just very briefly on that. This interview  
24 that you had with the police officers, did you  
25 understand that that was voluntary, that you did not  
26 have to talk to them if you didn't want to?

27 MR. AUCHINCLOSS: Objection; relevancy.

28 THE COURT: Sustained. 9810

1 MR. SANGER: On relevancy? Okay. I'm  
2 trying to understand. I apologize, Your Honor. Let  
3 me think for a second.

4 Q. The interview we're talking about is the  
5 police officers at the ranch during the search,  
6 correct?

7 A. Yes.

8 Q. What was your understanding of whether or  
9 not you were required to submit to an interview?

10 MR. AUCHINCLOSS: Objection; relevancy.

11 THE COURT: I'll allow the question.

12 You may answer.

13 THE WITNESS: I was trying to cooperate as  
14 much as possible with the investigation on that day.

15 Q. BY MR. SANGER: Did you know whether or not  
16 you had to talk? Do you know if you had an option  
17 not to talk?

18 MR. AUCHINCLOSS: Same objection.

19 THE COURT: I'll allow the question.

20 THE WITNESS: Yes.

21 Q. BY MR. SANGER: And did you agree to go  
22 ahead and talk with them?

23 A. That is correct.

24 Q. And when you asked if they could turn off  
25 the tape-recorder, did they accommodate you? Did  
26 they turn it off?

27 A. No.

28 Q. You knew that they were continuing to record 9811

1 you; is that correct?

2 A. That's correct.

3 Q. And you went on from that point. Do you  
4 recall how long the interview lasted on tape after  
5 that point in the conversation?

6 A. Probably five -- maybe five, ten more  
7 minutes.

8 Q. And the officers continued to ask you  
9 questions; is that right?

10 A. I believe one or two more questions.

11 Q. Okay. And you answered them?

12 A. Yes.

13 MR. SANGER: All right. Okay. I have no  
14 further questions.

15 MR. AUCHINCLOSS: No further questions.

16 THE COURT: All right. Thank you. You may  
17 step down.

18 THE WITNESS: Thank you.

19 THE COURT: Call your next witness.

20 MR. MESEREAU: Yes, Your Honor, the defense  
21 will call Macaulay Culkin.

22 THE COURT: For counsel's information, there  
23 was a motion to limit filed by the defense on this  
24 witness, and --

25 MR. ZONEN: Your Honor, we're not going to  
26 be asking those questions.

27 THE COURT: All right. Thank you.

28 Come forward, please. When you get to the 9812

1 witness stand, please remain standing.

2 Face the clerk here and raise your right  
3 hand.

4

5 MACAULAY CULKIN

6 Having been sworn, testified as follows:

7

8 THE WITNESS: I do.

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

11 THE WITNESS: Macaulay Culkin.

12 M-a-c-a-u-l-a-y; C-u-l-k-i-n.

13 THE CLERK: Thank you.

14

15 DIRECT EXAMINATION

16 BY MR. MESEREAU:

17 Q. Good morning, Mr. Culkin.

18 A. Good morning.

19 Q. You are an actor from New York, right?

20 A. That is correct.

21 Q. Would you please summarize your career?

22 A. Summarize my career?

23 Q. Yes, please.

24 A. I started working at the age of four doing  
25 stage and things like that. And done a number of  
26 things; films, things like that. Kind of worked  
27 till I was about 14, took a break there for a while,

28 and just started working again recently. 9813

1 Q. Do you know the fellow seated at counsel  
2 table to my right?

3 A. Yes, I do.

4 Q. Who is that?

5 A. That's Michael Jackson.

6 Q. Is he a friend of yours?

7 A. Yes, he is.

8 Q. How long has he been a friend of yours?

9 A. I first met him when I was nine or ten years  
10 old.

11 Q. And how did you meet him?

12 A. He kind of called me out of the blue one  
13 time, just said, "Hey," you know, "This is Michael  
14 Jackson." And this is after the "Home Alone" movie  
15 had come out. So it's kind of like -- it was like,  
16 "I think I understand kind of what's happening, and  
17 I'd like to get together and talk."

18 Q. And he's still your friend?

19 A. Yes, he is.

20 Q. When did you last talk to him?

21 A. I talked to him about three days ago.

22 Q. And at some point, did you visit Neverland  
23 for the first time?

24 A. Yeah, it was after he had called that first  
25 time. He invited us, me and my family, over there  
26 to hang out.

27 Q. And did you and your family go to Neverland?

28 A. Yes, we did. 9814

1 Q. Did you hang out?

2 A. Yes, we did.

3 Q. How long did you hang out there with him?

4 A. I think the first trip we were there for  
5 about three or four days. It was me and my younger  
6 brother and my mother and my father.

7 Q. How many times do you think you visited  
8 Neverland?

9 A. More than a dozen times from basically when  
10 I was about 10 to when I was about 14 years old.  
11 And I kind of took a break there for a while, just  
12 didn't go. I just never found myself on the West  
13 Coast, so I never found myself going there. And  
14 then went a couple times between when I was 17 and  
15 now, just a handful of times.

16 Q. And when was the last time do you think you  
17 visited Neverland?

18 A. About a year or so ago.

19 Q. Okay. And you maintained a friendship with  
20 Mr. Jackson all those years?

21 A. Yes, I have.

22 Q. Okay. Do you consider him a close friend of  
23 yours?

24 A. Yes.

25 Q. Let's go to your first trip to Neverland,  
26 okay? You say you were there with your family?

27 A. Uh-huh.

28 Q. And who in your family are you referring to? 9815

1 A. My brother Kieran and my mother and my  
2 father.

3 Q. Okay. And what do you remember about your  
4 first visit to Neverland?

5 A. It was big. It was -- it was -- I had never  
6 seen anything like it before. Especially  
7 considering it was someone's house. It was -- you  
8 know, it wasn't exactly what I was expecting.  
9 Because you're nine or ten years old, you don't  
10 really pay attention to what people say or whatever,  
11 you know, those kind of things. So -- you know,  
12 everything is lit up.

13 And he was a nice guy. I remember he  
14 laughed because I referred to all the Ninja Turtles  
15 by their first names, and things like that. And so  
16 it was one of those kind of things where it was just  
17 very -- it was very casual, really.

18 Q. Did you and your family have a good time?

19 A. Yes.

20 Q. What are some of the things you did at  
21 Neverland with your family?

22 A. Saw a movie in the movie theater. Rode on  
23 the amusement park rides, and -- just everything,  
24 you know. Just used the facilities, basically.

25 Q. How many times do you think your family has  
26 been to Neverland?

27 A. About the same amount of times. When I was

28 younger they were there virtually every time I was 9816

1 there.

2 Q. And you have a sister?

3 A. Yes, I do.

4 Q. And did she visit?

5 A. I have two.

6 Q. Hmm?

7 A. I have two of them.

8 Q. Did they visit Neverland as well?

9 A. Yes, they have.

10 Q. How many times do you think they've been to

11 Neverland?

12 A. Not as often, just because they were really

13 never on the West Coast as often as I was. But

14 whenever they were in town and I was going, they

15 would love to go as well.

16 Q. Have you seen Michael Jackson outside of

17 Neverland?

18 A. Yes.

19 Q. Where have you seen him?

20 A. Whenever. I'd be staying at a hotel and

21 he'd come and pick me and my brothers up, and we'd

22 sneak into a movie theater like in the middle of the

23 night -- in the middle of, like, you know, a movie,

24 because that was the only way you could really see

25 an actual movie in an actual movie theater with him.

26 Just a number of occasions.

27 Q. Have you seen Michael in New York?

28 A. Yes, I have. 9817

1 Q. Okay. How many times, do you think?

2 A. Handful of times. Four times. Five times.

3 Something like that.

4 Q. How about in Los Angeles?

5 A. Yeah, in the City of Los Angeles, too.

6 Q. Other than Neverland, New York and Los

7 Angeles, have you seen Michael Jackson anywhere

8 else?

9 A. Yeah. He was in London when I was out there

10 doing a play. And he was out there for, I don't

11 know, maybe a week or so. We hung out two times,

12 three times.

13 Q. Now, in London, what did you do with Michael

14 Jackson?

15 A. Hung out with his kids. We had -- we had a

16 dinner with a group of people, most of whom I had

17 not met before, but just -- it was a nice, casual,

18 sit-down dinner. And just saw the kids, things like

19 that. I always liked seeing the kids.

20 Q. And you're talking about Michael's kids?

21 A. Yes.

22 Q. And what have you done with Michael Jackson

23 in Los Angeles?

24 A. Same kind of thing. We used to hang out.

25 He had an apartment there that was actually in the

26 city, so we'd go visit there. Just kind of -- it

27 was a little more convenient, and it was smaller.

28 It wasn't as, you know, far away. It wasn't the 9818

1 daunting three-hour drive, you know. When you're  
2 ten years old, that's an awfully long drive to get  
3 out there. So sometimes when he was in the city, we  
4 would just hang out at his apartment.

5 Q. Now, you've spoken to him on the phone  
6 through the years, correct?

7 A. Yeah.

8 Q. How many times do you think you've spoken to  
9 him on the phone?

10 A. I couldn't really count. Couldn't say.  
11 Over 100 times probably.

12 Q. And have you called Michael Jackson  
13 yourself?

14 A. Yeah.

15 Q. Has he called you?

16 A. Yeah.

17 Q. Has he called your family, to your  
18 knowledge?

19 A. Yeah.

20 Q. And has your family called him?

21 A. Yes.

22 Q. You're aware of the allegations in this  
23 case, correct?

24 A. Uh-huh. Yes.

25 Q. You heard about some of the allegations  
26 about whether or not Mr. Jackson improperly ever  
27 touched you, right?

28 A. Yes. 9819

1 Q. Did Mr. Jackson ever molest you?

2 A. Never.

3 Q. Did Mr. Jackson ever improperly touch you?

4 A. Absolutely not.

5 Q. Has Mr. Jackson ever touched you in any

6 sexual type of way?

7 A. No.

8 Q. Has he ever touched you in any offensive

9 way?

10 A. No.

11 Q. What do you think of these allegations?

12 A. I think they're absolutely ridiculous.

13 Q. When did you first learn that these

14 prosecutors were claiming that you were improperly

15 touched?

16 A. When did I first learn that?

17 Q. Yes.

18 A. I -- somebody called me up and said, "You

19 should probably check out CNN, because they're

20 saying something about you."

21 Q. And did you check it out?

22 A. Yes, I did.

23 Q. And what did you learn?

24 A. I learned that it was a former cook had done

25 something to me, and there was something about a

26 maid or something like that. It was just one of

27 those things where I just couldn't believe it. I

28 couldn't believe that, first of all, these people 9820

1 were saying these things or -- let alone that it was  
2 out there and people were thinking that kind of  
3 thing about me.

4 And at the same time it was amazing to me  
5 that they -- that nobody approached me and even  
6 asked me whether or not the allegations were true.  
7 They kind of just were -- threw it out there just  
8 like -- they didn't even -- they didn't even  
9 double-check it basically. I mean, even if they  
10 assumed that they knew the answer, what got me was  
11 that they didn't even ask.

12 Q. Now, are you saying these prosecutors never  
13 tried to reach you to ask you your position on this?

14 A. No, they didn't.

15 Q. Do you know if any police officer from Santa  
16 Barbara has ever tried to call you to see what the  
17 truth is?

18 A. No.

19 Q. Are you aware that they claim they are  
20 going to prove that you were molested by Michael  
21 Jackson?

22 A. Excuse me?

23 Q. Are you aware that they claim they can  
24 prove --

25 MR. ZONEN: I'll object as leading, Your  
26 Honor.

27 THE COURT: Sustained.

28 Q. BY MR. MESEREAU: Have you ever been to 9821

1 Michael Jackson's bedroom?

2 A. Yes.

3 Q. And when did you first see Michael Jackson's  
4 bedroom?

5 A. I think it was probably the first trip.

6 Q. And did you go in there with your family?

7 A. Uh-huh.

8 Q. And what do you recall about Michael  
9 Jackson's room?

10 A. It was large. It was -- it was a very  
11 comfortable place. He had paintings and all those  
12 kind of things on the wall. It was -- you know, it  
13 had two bedrooms and it was two stories high. It  
14 was -- you know, it's not what you normally  
15 associate with a bedroom.

16 Q. And have you and your family stayed in that  
17 room?

18 A. Yes.

19 Q. How many times, do you think?

20 A. Handful of times.

21 Q. How many times do you think you've stayed in  
22 Michael's room?

23 A. A handful of times.

24 Q. How about your sister?

25 A. Not as often.

26 Q. How about your brother?

27 A. Whenever I was there, my little brother was

28 kind of always tagging along with me, so he was 9822

1 usually anywhere I was.

2 Q. Where else at Neverland have you been with  
3 Michael Jackson?

4 A. Everywhere, essentially. We were always  
5 hanging out together, just like I said, and using  
6 all the facilities; the zoo, the arcade, or the  
7 movie theater, wherever.

8 Q. Have you spent a lot of time at Neverland  
9 with Michael Jackson?

10 A. Yes.

11 Q. Have you played at Neverland with Michael  
12 Jackson?

13 A. Yes.

14 Q. What have you done with him?

15 A. Like I said, we used everything. We'd play  
16 video games. We would fill up a bunch of water  
17 balloons and toss them around. Just things like  
18 that. It was just good old fun, just like a bunch  
19 of, like, kids basically having a good time.

20 Q. Have you been to the arcade with Michael  
21 Jackson?

22 A. Yeah.

23 Q. Do you recall playing any games with Michael  
24 Jackson in the arcade?

25 A. Yeah, sure.

26 Q. And do you recall this going on anytime of  
27 day?

28 A. Playing video games? 9823

1 Q. Yeah.

2 A. Yeah. Absolutely.

3 Q. What time of day would you play video games  
4 with Mr. Jackson?

5 A. Anytime. You know, sometimes -- I mean,  
6 sometimes I fell asleep in the arcade and I'd wake  
7 up and just start playing, you know. It was one of  
8 those kind of things where, you know, you'd be up  
9 half the night, you'd be -- you know, you'd be kind  
10 of in and out of all these places.

11 So it was never really any kind of specific  
12 time that we spent there, but it was, you know, kind  
13 of just -- we were always kind of just either there,  
14 or at the theater, or just driving around in the  
15 golf carts, or something like that.

16 Q. Do you recall your family being with you in  
17 the arcade?

18 A. Yes.

19 Q. Do you recall them being with you in the  
20 zoo?

21 A. Yes.

22 Q. Do you recall your family being with you in  
23 the theater?

24 A. Yeah.

25 Q. Did you ever have any reason to think your  
26 family was being excluded by Mr. Jackson from  
27 anything you did at Neverland?

28 A. Could you repeat that? 9824

1 Q. Sure. Did you ever get the feeling that  
2 your family was being excluded from anything you did  
3 at Neverland?

4 A. Absolutely not.

5 Q. Did you get the contrary feeling, that they  
6 were always invited to be with you any time you were  
7 there?

8 MR. ZONEN: Objection; leading.

9 THE COURT: Sustained.

10 Q. BY MR. MESEREAU: Did you ever think Mr.  
11 Jackson was somehow trying to exclude your family  
12 from his room?

13 MR. ZONEN: Objection; leading.

14 THE COURT: Overruled.

15 You may answer.

16 THE WITNESS: Could you repeat the question?

17 THE COURT: I'll have it read back.

18 (Record read.)

19 THE WITNESS: Absolutely not. It was a real  
20 open-door policy just with the entire ranch.

21 Q. BY MR. MESEREAU: Okay. That applied to  
22 your family as well as you?

23 A. Yes, everyone.

24 Q. Okay. Have you ever traveled with Michael  
25 Jackson?

26 A. Yes.

27 Q. Where did you travel to?

28 A. We took a trip, I was going with some family 9825

1 friends. We were going to Bermuda, and I said,  
2 "We're going." And he said, "Is it all right if I  
3 tag along?" And I said, "Yes." So we did that.  
4 After that, we ended up in -- we decided to  
5 fly back to Orlando, because the family friends that  
6 I was traveling with, that's where they were from.  
7 So we went there, went to Disney World for a day or  
8 two, and ended up flying back with my family.  
9 And I've also -- he was doing a charity  
10 event a couple years back in Washington D.C., and so  
11 I -- I hitched a ride with him on his plane back to  
12 New York.

13 Q. And did Mr. Jackson ever do anything  
14 improper to you on any of these trips?

15 A. No.

16 Q. Ever see him do anything that you found  
17 disturbing on any of these trips?

18 A. Absolutely not.

19 Q. Has Mr. Jackson ever hugged you?

20 A. Sure.

21 Q. Have you ever hugged him?

22 A. Absolutely.

23 Q. Were you ever suspicious of any of these  
24 hugs as being something sexual in nature?

25 A. No, it was always very casual. It was just  
26 the way I hug any of my friends.

27 Q. Did you ever see Mr. Jackson hug your

28 sister? 9826

1 A. Sure.

2 Q. Were you ever suspicious of his hugging your  
3 sister?

4 A. No.

5 Q. Ever see Mr. Jackson hug your brothers?

6 A. Yeah.

7 Q. Ever see them hug him?

8 A. Yes.

9 Q. Did you ever think anything suspicious was  
10 going on when your brothers hugged Mr. Jackson?

11 A. No, it was always just how you kind of  
12 greeted him, greeted almost anyone basically that  
13 you were close with.

14 Q. Do you know someone named Wade Robson?

15 A. Yeah, I've met him.

16 Q. Where did you meet him?

17 A. When we were shooting the "Black and White"  
18 video. He was one of the dancing kids. So I met  
19 him and hung out with him after the shoot.

20 Q. Did you ever see Mr. Jackson do anything  
21 improper with Wade Robson?

22 A. No.

23 Q. Have you been in contact with Wade Robson?

24 A. No, I haven't.

25 Q. When's the last time you think you talked to  
26 him?

27 A. Was back then when we hung out, when I was

28 10 or 11 years old. 9827

1 Q. Do you know someone named Brett Barnes?

2 A. I think so. But I'm not really sure if I  
3 do. I mean, I've heard the name before, and I've --  
4 I think it's the same Brett that I know, but I  
5 couldn't be 100 percent.

6 Q. And if the person you think is Brett Barnes,  
7 do you recall seeing him at Neverland?

8 A. If it -- yeah, if it's the person I'm  
9 thinking of, yeah.

10 Q. Did you ever see Mr. Jackson do anything  
11 improper with him?

12 A. No, I've never seen him do anything improper  
13 with anybody.

14 MR. MESEREAU: Okay. No further questions.

15 THE COURT: Cross-examine?

16

17 CROSS-EXAMINATION

18 BY MR. ZONEN:

19 Q. Mr. Culkin, good morning.

20 A. Good morning.

21 Q. Sir, isn't it true that both in 1993 and in  
22 2003 law enforcement attempted to gain access to you  
23 to have an interview with you and on both occasions  
24 your representatives refused to have -- allow you to  
25 have an interview with law enforcement? Isn't that  
26 true?

27 A. Not to my knowledge.

28 Q. You're not aware of any effort by law 9828

1 enforcement either in 1993 or currently within the  
2 last couple years to be able to get an interview  
3 with you?

4 A. Not that I know of, no.

5 Q. Isn't it true that your attorney just within  
6 the last couple weeks issued a notice that you would  
7 not be giving any statements to either side prior to  
8 your giving an inter -- prior to your testifying in  
9 court?

10 A. Could you repeat that?

11 Q. Isn't it true that just within the last  
12 couple weeks your attorney notified us that you  
13 would not be giving an interview to either side of  
14 this case prior to your taking the witness stand  
15 and testifying?

16 A. You're -- can you repeat that one more time?

17 Q. Mr. Culkin, did you talk to anybody from the  
18 defense prior to coming into court today?

19 A. Did I talk to anybody from the defense?

20 Q. That's right.

21 A. I talked to Tom Sneddon yesterday.

22 Q. You talked to Tom Sneddon yesterday?

23 A. Sorry. Excuse me. Mr. Mesereau.

24 Q. You talked to Mr. Mesereau yesterday?

25 A. Yes.

26 MR. SNEDDON: I'm the one with the short  
27 hair.

28 THE WITNESS: Yes, sorry about that. I went 9829

1 to his office yesterday for about a half an hour to  
2 get my -- like, figure out where I was staying and  
3 all that kind of stuff.

4 Q. BY MR. ZONEN: Did you give him an interview  
5 at that time?

6 A. No, not really. He kind of walked me  
7 through the procedure, what I would have to be going  
8 through for the day.

9 Q. And did you talk to him about anything  
10 substantive, any of the issues about your  
11 association with Michael Jackson?

12 A. No, we didn't.

13 Q. Were you aware that an attorney of yours had  
14 contacted us and told us that you would not be  
15 giving a statement to either side? Is that true?

16 A. I think so, yes.

17 Q. Was that your decision or your lawyer's  
18 decision?

19 A. I think I just took what he had to say and  
20 agreed with it.

21 Q. So you decided all along you were not going  
22 to talk to either side?

23 A. Essentially, yeah. I wasn't really planning  
24 on testifying.

25 Q. But you're complaining that we didn't  
26 interview you?

27 A. I'm just saying it was something that -- I

28 said I kind of just -- all of a sudden I turn on the 9830

1 television or look on the Internet and there was  
2 those things out there, and it was just surprising  
3 to me.

4 Q. Mr. Culkin, are you completely unaware of  
5 the fact that law enforcement has made a number of  
6 efforts to gain access to you to talk to you?

7 A. Like I said, I'm unaware.

8 Q. No one among your representatives has ever  
9 gone to you and said, "Law enforcement would like to  
10 speak with you"?

11 A. Never.

12 Q. How old were you when you went to Bermuda?

13 A. I must have been around 11 years old.

14 Q. How long had you known Michael Jackson at  
15 that time?

16 A. About a year or two.

17 Q. That trip was with the Goldstein family; is  
18 that right?

19 A. That sounds right.

20 Q. That sounds right? You don't recall?

21 A. It was 15 years ago.

22 Q. You don't recall with whom you went to  
23 Bermuda?

24 A. I remember it was my friend Brock and his  
25 family.

26 Q. All right. And Brock's last name is  
27 Goldstein; is that correct?

28 A. That sounds right. Like I said, it was 15 9831

1 years ago. And it wasn't -- I haven't really talked  
2 to them since then almost.

3 Q. And how is it that Mr. Jackson ended up  
4 going to Bermuda with you?

5 A. I told him I was going, and he seemed  
6 excited. And I said, "Would you like to come  
7 along?" So he said, "Let's go to Bermuda."

8 Q. You're an 11-year-old child, but you felt it  
9 was okay to invite Mr. Jackson to attend a trip that  
10 you were going on with another family?

11 A. Yeah. I mean, and they were fine with it,  
12 from what I remember.

13 Q. Well, did you consult with them before you  
14 invited Mr. Jackson to come along?

15 A. To be honest, I don't remember.

16 Q. All right. The Goldsteins have a child who  
17 at that time had appeared in a movie with you; is  
18 that right?

19 A. I don't remember him being in the film. He  
20 lived in the same community as me when I was  
21 shooting the film "My Girl." And it was just kind  
22 of a community like -- it was almost -- it wasn't  
23 exactly a gated community, but it was off of, like,  
24 the Universal lot. And he was just a neighborhood  
25 kid that I got friendly with.

26 Q. You became friendly with Brock during the  
27 course of the filming of that film; is that right?

28 A. Yes. 9832

1 Q. And you used to spend time at their home?

2 A. Yes.

3 Q. And you would spend the night at their home  
4 as well; is that correct?

5 A. Yeah.

6 Q. And when they were planning a trip to  
7 Bermuda, they invited you to come along?

8 A. Yeah.

9 Q. They consulted with your parents in advance  
10 and your parents agreed; is that true?

11 A. Yeah.

12 Q. All right. You then invited Mr. Jackson to  
13 come along as well; is that correct?

14 A. From what I remember, yes.

15 Q. All right. You did not tell either Mr. or  
16 Mrs. Goldstein that you had done that in advance of  
17 that trip?

18 A. Like I said, I don't remember that.

19 Q. Now, you invited Mr. Jackson or Mr. Jackson  
20 invited himself? Which was it?

21 A. To be honest, I don't remember. I do -- I  
22 think it was something like, "I'm going to Bermuda."  
23 You know, "We're going to have a good time." I  
24 don't remember how exactly it went over, whether it  
25 was, like, "Oh, is it all right if I come?" Or if  
26 it was, "Why don't you come along." I honestly  
27 don't remember.

28 Q. Did Mr. Jackson travel with you to Bermuda 9833

1 or did he meet you there?

2 A. I honestly don't remember.

3 Q. When he got there, he gave you a watch, did  
4 he not?

5 A. I think that's when he gave me the watch.

6 Q. It was a Rolex?

7 A. Yes.

8 Q. He gave a Rolex to an 11-year-old child?

9 A. Yeah. But it wasn't -- it wasn't anything  
10 all that crazy to me. I didn't see it as anything  
11 like that. I was not a person without means, so it  
12 wasn't anything that was all that awe-inspiring. I  
13 mean, my father had a Rolex. It was that kind of  
14 thing.

15 Q. Did he give a Rolex to Brock as well?

16 A. I don't remember.

17 Q. Did he give any gift to Brock?

18 A. I don't remember.

19 Q. Isn't it true that the Goldstein family, the  
20 parents, Mr. and Mrs. Goldstein, felt excluded by  
21 the presence of Mr. Jackson; that he was attempting  
22 to and succeeded in taking you away from the family  
23 in terms of the events that were being -- that they  
24 were doing?

25 MR. MESEREAU: Objection; calls for

26 speculation.

27 MR. ZONEN: It's exactly in response to the

28 question that counsel asked. 9834

1 THE COURT: You're asking him for the  
2 Goldsteins' feelings. The objection is sustained.

3 Q. BY MR. ZONEN: Did they tell you that they  
4 felt that they were being excluded from activities  
5 with you?

6 A. Not that I remember.

7 Q. Did they complain to you at all about the  
8 fact that Mr. Jackson was dominating your time?

9 A. I don't -- not that I remember.

10 Q. Did Mr. Jackson suggest that you go with him  
11 to different locations in Bermuda separate from the  
12 Goldstein family?

13 A. Excuse me?

14 Q. Did Mr. Jackson suggest to you that you go  
15 with him to locations in Bermuda without the  
16 Goldstein family?

17 A. Not that I remember. Like I said, this  
18 whole trip was 15 years ago. And I was nine or ten  
19 years old. And if I knew I was going to have to be  
20 testifying about it, I'm sure I would have made an  
21 effort to remember.

22 Q. How old are you now?

23 A. I'm 24.

24 Q. You're 24. And you're saying it's 15 years  
25 ago?

26 A. 13, 14, 15 years ago. I honestly don't  
27 remember exactly how old I was.

28 Q. You were somewhere between nine and -- 9835

1 A. 11, yes.

2 Q. And you met him when you were nine?

3 A. I think that's about right, yeah. So it

4 must have been when I was about 10 or 11.

5 Q. You had known him for at least a year at the

6 time you went on that trip?

7 A. Yeah, for at least a year.

8 Q. All right. And then the question about

9 whether you have a recollection about Mr. Jackson

10 asking you to go with him to locations without the

11 Goldstein family, at this time you do not recall the

12 answer to that question?

13 A. I don't, no.

14 Q. Did Mrs. Goldstein at times tell you that it

15 was not okay for you to go away with Mr. Jackson by

16 yourself?

17 A. Could you repeat that?

18 Q. Didn't Mrs. Goldstein tell you it was not

19 okay for you to go away with Mr. Jackson by yourself

20 without somebody from the Goldstein family being

21 there? Didn't she tell you that?

22 A. Gosh, I don't remember those kind of --

23 those kind of details. I remember -- I could tell

24 you the hotel room, what it looked like. I could

25 tell you, you know, if it was on the beach, and

26 things like that. But I can't tell you -- I don't

27 remember a lot of these specific details, because

28 there just wasn't anything that eventful going on, 9836

1 besides that.

2 Q. But you don't remember her telling you  
3 specifically that she was not going to allow you to  
4 go places with Mr. Jackson by yourself unaccompanied  
5 by another member of their family?

6 A. Not that I remember, but I don't know.

7 Q. How long did you stay in Bermuda?

8 A. I don't know. It could have been, like,  
9 about a week or so.

10 Q. Did Mr. Jackson stay with you in Bermuda the  
11 entire time?

12 A. From what I remember, he was there the whole  
13 time.

14 Q. Was he there with any other adult  
15 companionship?

16 A. How do you mean?

17 Q. Did he come with another person, man or  
18 woman, a companion?

19 A. I don't think so, no. I mean, he might have  
20 had some security with him but I'm not sure.

21 Q. Other than security, did he come with a man  
22 or woman with whom he intended to travel purely for  
23 companionship?

24 A. No.

25 Q. Was it your belief that he was there to  
26 visit with you?

27 A. Yeah, to visit, and spend some time in

28 Bermuda. 9837

1 Q. All right. And to spend a week or more with  
2 a ten-year-old child?

3 A. To spend a week or more with me, yes.

4 Q. And had he ever done that prior to that  
5 date, gone traveling with you?

6 A. Not that I remember, no. We never really --  
7 I mean, besides when he was in Los Angeles, and I  
8 was, he'd come visit me. But we never really went  
9 on, like, trips.

10 Q. Do you still have that Rolex watch?

11 A. I think I do have it somewhere, yes.

12 Q. You don't wear it any longer?

13 A. It doesn't fit.

14 Q. It's a woman's watch; is that correct?

15 A. Not that I know of. It was small. It was a  
16 small watch, and the band is very small on it, so  
17 like I said, it doesn't really fit me anymore.

18 Q. Did Mr. or Mrs. Goldstein comment to you  
19 about anything at the time that watch was given to  
20 you?

21 A. Not that I remember.

22 Q. In your presence, did they tell Mr. Jackson  
23 they thought that was an inappropriate gift?

24 MR. MESEREAU: Objection. Hearsay; calls  
25 for speculation.

26 THE COURT: Sustained.

27 Q. BY MR. ZONEN: Had you taken any trips with

28 Mr. Jackson prior to the Bermuda trip? 9838

1 A. No, we never really took any, like, trips or  
2 vacations, really. Like I said, it was something --  
3 when I was in Los Angeles we would hang out. Or if  
4 he was in New York, we'd get together.

5 Q. Did you travel with Mr. Jackson anywhere  
6 prior to the Bermuda trip where you stayed overnight  
7 in a hotel with Mr. Jackson?

8 A. I don't think so, no.

9 Q. Prior to the Bermuda trip, did you go  
10 anywhere outside of California with Mr. Jackson?

11 A. Did we go anywhere outside of --

12 Q. I asked you, did you go anywhere --

13 A. I know --

14 Q. Did you go anywhere with Mr. Jackson prior  
15 to the Bermuda trip?

16 A. Could you repeat that again?

17 Q. Prior to the Bermuda trip, did you travel  
18 anywhere with Mr. Jackson?

19 A. Not that I remember. Not like we would be  
20 somewhere and then travel somewhere else, besides  
21 being in Los Angeles or going to Neverland or when  
22 he was in New York, that kind of thing.

23 Q. In Bermuda, did you change hotels because of  
24 Mr. Jackson's arrival?

25 A. I don't remember, but probably, because we  
26 were staying in a larger hotel with -- I think it  
27 was just a larger hotel, kind of beyond the means of

28 what we were kind of expecting to stay in. 9839

1 Q. Prior to staying in Bermuda, had you ever  
2 spent the night alone with Mr. Jackson?

3 A. How do you mean "spend the night"?

4 Q. Did you ever share a bed with Mr. Jackson  
5 prior to going to Bermuda?

6 A. Yeah, I mean, I'd fallen asleep in the same  
7 bed as him.

8 Q. Did you ever do that, fall asleep in the  
9 same bed as Mr. Jackson prior to going to Bermuda  
10 where none of your brothers or sisters were present?

11 A. It's possible. But like I said, usually my  
12 brother was tagging along with me. But I fell  
13 asleep basically everywhere in that ranch, or  
14 anywhere else when I was hanging out with him. I  
15 would just flop down on the floor half the time.

16 Q. Mr. Culkin, the question was, did you ever  
17 share a bed with Mr. Jackson --

18 A. Yes.

19 Q. -- the two of you by yourself, prior to  
20 going to Bermuda?

21 A. If I remember correctly, probably, yes.

22 Q. On approximately how many occasions did you  
23 and Mr. Jackson share a bed the entire night prior  
24 to going to Bermuda?

25 A. A handful of times.

26 Q. Was it your expectation that in Bermuda that  
27 you would be sleeping with Mr. Jackson?

28 A. Excuse me? 9840

1 Q. Was it your expectation that while in  
2 Bermuda you would be sharing a hotel room and a bed  
3 with Mr. Jackson?

4 A. I don't remember it being like an  
5 expectation. It was -- I may have fallen asleep in  
6 the same bed with him there, but it was just as  
7 likely I'd fall asleep on the couch watching T.V.

8 Q. You might have fallen asleep in the bed with  
9 Mr. Jackson in Bermuda?

10 A. I might have fallen asleep on his bed, yes.

11 Q. Now, prior to going to Bermuda, you said it  
12 may have been a handful of times. What is a handful  
13 of times? About five or six?

14 A. Yeah, like half dozen times.

15 Q. Half dozen times?

16 A. Ten at most.

17 Q. Ten at most? This is prior to going to  
18 Bermuda.

19 A. Yeah, I'd known him for about a year, and  
20 hung out, I'd been to his ranch about four or five  
21 times, I think, within that year.

22 Q. So you think you might have shared his bed  
23 with him six to ten times prior to going to Bermuda;  
24 is that the case?

25 A. It's possible.

26 Q. All right. On how many of those occasions  
27 were you there by yourself without any sibling,

28 alone, without any sibling at all? 9841

1 A. I don't really remember. But most every  
2 time I was there, I was there with my siblings. And  
3 most every time I was with my siblings, they were,  
4 like, with me the entire time.

5 Q. All right. How many times do you think  
6 prior to going to Bermuda did you share a bed with  
7 Mr. Jackson by yourself?

8 A. I honestly don't remember. I couldn't say.

9 Q. How about either of your sisters? Did they  
10 ever share a bed with Mr. Jackson by themselves?

11 A. Not that I know of, no.

12 Q. That never happened, did it?

13 A. Not that I know of.

14 Q. In fact, none of your brothers ever shared a  
15 bed with Mr. Jackson by themselves either, did they?

16 A. I'm not sure if that's true. But I don't --  
17 I don't know. Sometimes I would -- I wouldn't fall  
18 asleep. I'd be up for a little bit longer and, you  
19 know, my brothers would fall asleep who knows where.

20 Q. But there were occasions when you went to  
21 Neverland without your siblings and without your  
22 parents; is that right?

23 A. I think I took one trip there where I  
24 arrived there before my family did, for like a day  
25 or two, and then they showed up.

26 Q. Up until the age of, say, 14, are you  
27 telling us every time you went to Neverland you were

28 with your parents and your siblings? 9842

1 A. In some kind of combination of siblings and  
2 parents, yes.

3 Q. You never once went to Neverland by  
4 yourself?

5 A. Like I said, I think I showed up -- I showed  
6 up there once, and it was like a day or two and then  
7 my family met me there.

8 Q. Your home is New York; is that right?

9 A. Yeah, I'm born and raised in New York.

10 Q. You never lived in Los Angeles?

11 A. Not full time, no.

12 Q. All right. Up until the age of 14, did you  
13 ever live in Los Angeles, even part time?

14 A. I did some work in Los Angeles, but besides  
15 that, I'm from New York.

16 Q. Where else did you go besides New York,  
17 London and Neverland with Michael Jackson, and  
18 Bermuda? What other places did you and he travel  
19 to?

20 A. We went to Orlando from Bermuda because  
21 that's where Brock and his family lived.

22 Q. Okay. So during that trip, you went to  
23 Orlando?

24 A. Yeah, it was the same trip. We swung by  
25 there, and then from there I went home.

26 Q. How often did you go to Neverland between  
27 the ages of 10 and 14?

28 A. How many times did I go there? 9843

1 Q. Yes.

2 A. A dozen times, maybe more.

3 Q. All those occasions did you sleep in his  
4 room?

5 A. At some point or another I think I  
6 probably -- I might have ended up sleeping in his  
7 room, but I couldn't really say that I slept there  
8 every single time that I was there or anything like  
9 that.

10 Q. Would it be safe to say that 90 percent of  
11 the time you stayed there?

12 A. In his bedroom?

13 Q. Yes.

14 A. I don't think it would be 90 percent. It  
15 would be --

16 Q. 80 percent?

17 A. It would be -- I slept in his room about as  
18 often as I fell asleep anywhere. Like, I fell  
19 asleep -- I would flop down -- we'd fall asleep in  
20 the movie theater. He has beds in the movie  
21 theater. I'd flop down and fall asleep there. I've  
22 fallen asleep in the video game machines before. I  
23 mean, I've -- I would go and play there basically  
24 until I'd just run myself out, and I would just flop  
25 down wherever I needed to.

26 Q. And you'd be pretty exhausted and go fast  
27 asleep; is that right?

28 A. Yeah, I mean, that would happen. I'd wear 9844

1 myself out and fall asleep, just like any kid would.

2 Q. So your question about -- the question that  
3 you answered about Mr. Jackson never molesting you,  
4 your answer more accurately is he never did while  
5 you were awake; is that correct?

6 A. Could you repeat that?

7 Q. Well, your answer to Mr. Mesereau's question  
8 about he never molested you.

9 A. Yes.

10 Q. Your answer more accurately is he never  
11 molested you, to your knowledge, while you were  
12 awake; is that true?

13 A. As far as I know, he's never molested me.

14 Q. While you were asleep as a nine-year-old kid  
15 who had run himself ragged, you wouldn't know what  
16 happened while you were asleep, right?

17 A. I find that unlikely.

18 Q. Well, but you just told us that sometimes  
19 you'd be so exhausted after a day of playing you'd  
20 fall asleep on a machine.

21 A. Yeah, but I think I'd realize if something  
22 like that was happening to me.

23 Q. Yes? And on many of those occasions, you  
24 would fall asleep in his bed?

25 A. It would happen.

26 Q. So you would have no recollection at all, of  
27 all of your visits to Neverland, of ever actually

28 making arrangements to simply go to bed like anybody 9845

1 else, putting on pajamas and crawling into bed and  
2 turning out the light?

3 A. I never really wore pajamas. But at the  
4 same time, it was something like -- I mean,  
5 occasionally, yeah, I'd have to -- like, we'd have  
6 to wake up early in the morning because -- for  
7 whatever reason, because I'd have to -- because we  
8 were going to be leaving in the morning or whatever.  
9 I mean, sometimes I was put on a schedule.

10 Q. Mr. Culkin, as a nine-year-old child, what  
11 did you wear to bed?

12 A. I wore my clothes.

13 Q. You would just wear whatever you were  
14 wearing during the day?

15 A. Yeah.

16 Q. Every single night?

17 A. Up until I was about 17 years old. That's  
18 when I kind of discovered what pajamas were.

19 Q. And you did that at home as well?

20 A. Yeah.

21 Q. Whatever you were wearing?

22 A. I always fell asleep in jeans and socks and  
23 a T-shirt.

24 Q. All right. So whenever you were at  
25 Neverland, you would crawl into bed in jeans and  
26 socks and a T-shirt?

27 A. Yeah.

28 Q. Did you ever stay at his condo in Los 9846

1 Angeles?

2 A. Yeah, I think I've spent the night there.

3 Q. With your parents?

4 A. I'm not sure if they were there. I know  
5 they'd been there before, but I'm not sure if they  
6 ever spent the night there.

7 Q. You only spent one night in his condo in Los  
8 Angeles? It's in West L.A.; is that right?

9 A. I don't really remember exactly where it  
10 was. I was always either -- we'd just kind of go  
11 there, and it was very secluded. It was in a garage  
12 and things like that. That's where the entrance  
13 was.

14 Q. All right. There was a hotel across the  
15 street; is that correct?

16 A. I don't really remember.

17 Q. Were there ever occasions where your parents  
18 stayed in the hotel across the street and you stayed  
19 at the condo by yourself with Mr. Jackson?

20 A. I don't really remember. I don't think so.

21 Q. But that's possible?

22 A. I'm not sure if they stayed in the hotel  
23 across the street or at another hotel. I don't  
24 know.

25 Q. What is your date of birth?

26 A. August 26th, 1980.

27 Q. And you think when you first started coming

28 to Neverland you were nine years old, that would 9847

1 have been 1989?

2 A. About nine or ten years old, so it was  
3 probably '90 or '91, like -- just like -- it was  
4 after -- it was after the "Home Alone" movie came  
5 out.

6 Q. How old were you when you stopped sleeping  
7 in bed with Michael Jackson?

8 A. Well, like I said, I stopped going there  
9 just because I had really -- I had never really  
10 found myself going to Los Angeles or anything like  
11 that. So I didn't really come back again until I  
12 was about 17.

13 Q. The question was, when did you stop  
14 sleeping --

15 A. I know. I'm getting there.

16 And so when I got -- when I started coming  
17 back again, I found myself just not sleeping in bed.

18 And I've always kind of fell asleep in the guest  
19 units ever since then.

20 Q. Why didn't you stay with Mr. Jackson in his  
21 room?

22 A. Because I enjoyed my privacy a little bit  
23 more.

24 Q. All right. So is it safe to say that up  
25 until and through your 13th year, you stayed with  
26 Mr. Jackson in his room?

27 A. On occasion --

28 Q. More frequent -- 9848

1 A. On occasion I'd fall asleep there or  
2 wherever. It wasn't really like a thing to, like,  
3 "Let's go to sleep in a particular place." On  
4 occasion I'd end up falling asleep there. I'd fall  
5 asleep anywhere.

6 Q. After you first met Mr. Jackson, did he  
7 telephone you a lot?

8 A. We talked on the phone a good amount.

9 Q. And sometimes those telephone calls would go  
10 two or three hours, wouldn't they?

11 A. Sometimes. I guess. Yeah.

12 Q. Sometimes those telephone calls were in the  
13 middle of the night, weren't they?

14 A. Not really. I was in school. But sometimes  
15 it would be in the later side.

16 Q. Did he express affection toward you during  
17 those telephone calls?

18 A. How do you mean "affection"?

19 Q. Did he tell you how close he felt to you?

20 A. Yeah, we had a really close relationship  
21 because we had this understanding of one another,  
22 because one day I was --

23 MR. ZONEN: I'll object as exceeding the  
24 scope of the question, Your Honor. Nonresponsive.

25 MR. MESEREAU: Objection, Your Honor, he's  
26 cutting off the witness.

27 THE COURT: The objection is overruled.

28 The question was, "Did he tell you how close 9849

1 he felt to you?"

2 THE WITNESS: Yeah, and I'm trying to  
3 explain --

4 THE COURT: You don't need to explain.

5 THE WITNESS: Okay. I understand.

6 Yeah, we were close.

7 THE COURT: Next question.

8 Q. BY MR. ZONEN: Did he tell you that he had  
9 thought of you like family?

10 A. Yes. From what I remember.

11 Q. Did he start telling you about seeing you as  
12 family early on in your relationship with him?

13 A. I don't know how far into the relation -- or  
14 friendship it was, that we started talking about how  
15 close we felt. But it was definitely something  
16 where we understood each other early on.

17 Q. Even when you were nine years old?

18 A. Because of circumstances, yes.

19 Q. Did he give gifts to your parents?

20 A. I think so. But I honestly don't remember.

21 This is a while ago. But he was -- he was very  
22 generous. He always gave gifts to everybody.

23 Q. Do you remember what gifts he gave to your  
24 mother?

25 A. Not offhand, no.

26 Q. Do you remember what gifts he gave to your  
27 father?

28 A. Not offhand. 9850

1 Q. Did you travel with Mr. Jackson to Las

2 Vegas?

3 A. No.

4 Q. Did you travel with Mr. Jackson to Europe?

5 A. No.

6 Q. Did you travel with Mr. Jackson to South

7 America?

8 A. No.

9 Q. Did you ever stay at Neverland while Jordie

10 Chandler was there?

11 A. I don't know. I'm not sure if I have. I'm

12 not sure if I know who Jordie Chandler is.

13 Q. Were you ever introduced to Jordie Chandler?

14 A. I couldn't say. I met handfuls of people

15 kind of going in and out. There was always kind of

16 a revolving door of staff and of people kind of

17 coming in. Sometimes there would be guests there

18 that I had never really met before or things like

19 that.

20 Q. Were you ever in Mr. -- in Mr. Jackson's

21 bedroom overnight while another boy was present in

22 that room, other than your brothers?

23 A. On occasion, the other kids there that --

24 like I said, some of them were introduce -- like, I

25 was introduced to as, like, cousins or family

26 friends and stuff like that. And they'd bring their

27 kids there, and then -- same as me. They would --

28 they would play with me, and we'd fall asleep 9851

1 anywhere, sometimes his bedroom, sometimes in the  
2 theater, sometimes anywhere.

3 Q. All right. Do you know whether any of those  
4 boys who happened to fall asleep with you in his  
5 room, if any of those boys, any one of them, was  
6 Jordan Chandler?

7 A. It was 15 years ago. I'm not sure if I  
8 remember the names.

9 Q. Are you aware of the allegations in 1993?

10 A. Yes, I was.

11 Q. In 1993, were you aware of the allegations  
12 while they were going on?

13 A. Michael had called me about a month or so,  
14 or maybe a couple of weeks before the allegations  
15 hit the press. And he let me know that some people  
16 were going to be saying something, and they were  
17 absolutely untrue, and, "Don't worry about it. I  
18 just need you to be my friend right now." And I  
19 said, "Absolutely."

20 Q. At the time that Mr. Jackson placed that  
21 phone call, did you know who Jordan Chandler was?

22 A. I don't know. I'm not sure exactly who  
23 Jordan Chandler is, so I can't -- I can't say.

24 Q. But back in '93, there wasn't a face that  
25 went with that name? In other words, when he  
26 mentioned the name "Jordan Chandler," was there a  
27 face that automatically came to mind for you?

28 A. I think I had met the accuser from '93 or 9852

1 '94, if that's who you're talking about. I had met  
2 him once or twice. But I don't remember his name,  
3 so --

4 Q. How about Jason Francia? Did you ever meet  
5 Jason Francia?

6 A. I don't know. I can't remember. Like I  
7 say, this was -- this was, you know, 13 years ago,  
8 you know. 14 years ago. And it wasn't anything --  
9 it was just sometimes there would be some kids  
10 there, you know.

11 Q. Did you ever spend a night in the same room  
12 with Brett Barnes at Neverland?

13 A. I'm not sure if I remember Brett Barnes.

14 Q. Did you ever spend a night in the same room  
15 with Wade Robson?

16 A. No.

17 Q. Wade Robson you remember?

18 A. I remember him, yes, because he was a very  
19 good dancer. And I know him also because of what  
20 he's accomplished in his own career recently.

21 Q. So he's -- he has stayed in the United  
22 States and you're familiar with him?

23 A. I am familiar with him. He had a T.V. show  
24 for a while.

25 Q. You don't have a recollection of spending a  
26 night with Wade Robson in the same room, Michael  
27 Jackson's room; is that correct?

28 A. Not that I remember, no. I mean, we did 9853

1 hang out, the day, like, after the shoot, and we  
2 went to his condo in Los Angeles.

3 Q. How many nights did you spend with Michael  
4 Jackson alone in his room and in his bed between the  
5 ages of 9 and 14?

6 A. How -- could you repeat that?

7 Q. How many nights do you believe you spent  
8 alone in Michael Jackson's room and in his bed,  
9 alone with Michael Jackson, between the ages of 9  
10 and 14?

11 A. It couldn't have been more than like -- it  
12 was a handful of times. It couldn't have been more  
13 than, like, five times, four times.

14 Q. Sir, you told us it was a handful of times  
15 that did you that before you went to Bermuda and  
16 that was at age 10?

17 A. Altogether -- like I said, I went a lot  
18 between the ages of about 10 and -- about 9 and 12,  
19 9 and, like, 11. And then I found -- I never really  
20 worked a whole lot in Los Angeles. It was only when  
21 I was in town that I would go over there. And I  
22 worked -- I worked on two films out here when I  
23 was -- one when I was 12, the other one when I was  
24 11 or so, or 10. And those are the times that I  
25 would go out there, and occasionally I would fall  
26 asleep in his room.

27 Q. All right. After age 10, from age 11

28 through 14, how many times do you think you went to 9854

1 Neverland?

2 A. From 10 to 14? Like, six to eight times.

3 Q. And of those six to eight times, how many  
4 times of those did you spend in his -- let me redo  
5 that again.

6 Six to eight times doesn't necessarily mean  
7 six to eight nights, does it?

8 A. No, I would -- sometimes I would stay for a  
9 weekend, sometimes it would be -- I'd try to get up  
10 there -- even if it was for a day, I'd go up there.  
11 But sometimes it would be, like, four days,  
12 sometimes five days.

13 Q. What's the longest you ever stayed at  
14 Neverland?

15 A. When I was -- I think I was 20, I stayed  
16 there for about, I don't know, 10 days, 14 days.  
17 And that was the longest trip I'd ever taken there.

18 Q. At age 20?

19 A. Yes.

20 Q. All right. Well, can I assume that at age  
21 20 you were not sleeping with Michael Jackson?

22 A. I don't think he was there on that trip. I  
23 kind of just said, "I need to relax. Is it okay if  
24 I use your house?" And he said, "Sure."

25 Q. Even if he was there --

26 MR. MESEREAU: Objection. He cut off the  
27 witness, Your Honor.

28 THE COURT: Sustained. 9855

1 MR. MESEREAU: May the witness complete his  
2 answer?

3 THE WITNESS: No --

4 THE COURT: Yes.

5 THE WITNESS: No, I was just staying there by  
6 myself, and I'd just stay in the guest units, and it  
7 was just -- it was just that. He wasn't even there.

8 Q. BY MR. ZONEN: Even at age 20, you wouldn't  
9 have been sleeping with him anyway, would you have?

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

12 THE COURT: Overruled.

13 You may answer.

14 THE WITNESS: Would you repeat the question?

15 Q. BY MR. ZONEN: But even at age 20, you would  
16 not have been sleeping with him in any event; is  
17 that correct?

18 A. Probably not. Like I said, you know, as you  
19 get older, you start enjoying your privacy and you  
20 start getting on more of a schedule. And I was  
21 falling asleep on -- I had more of a schedule going.  
22 I was basically going out there to write and things  
23 like that, and to relax.

24 Q. Probably not -- have you slept with Mr.  
25 Jackson since you turned 20?

26 A. No.

27 Q. Were there ever any occasions that you spent

28 a night in Mr. Jackson's room in the presence of 9856

1 another boy, not your brothers?

2 A. Could you specify? So you're saying with  
3 another boy but not with my brothers or something  
4 like that?

5 Q. With another boy, not your brothers. In  
6 other words, did you ever --

7 A. Like I said, yes.

8 Q. Did you ever spend a night in Mr. Jackson's  
9 bedroom with another boy, not your brothers?

10 A. Sometimes. Sometimes, like I said, there  
11 would be kids there. They'd be introduced as  
12 cousins or something like that. And they would hang  
13 with us, just as much as anyone else would.

14 Q. Do you remember the names of any of them?

15 A. Not offhand, no.

16 Q. Can you describe any of them?

17 A. They were kids. They were -- you know, some  
18 of them had dark hair. Darker skin, that kind of  
19 thing.

20 Q. What is the oldest child who ever stayed  
21 with you in Michael Jackson's room for the night?

22 A. I wouldn't remember. I mean, they were all  
23 about my age, maybe a little bit older.

24 Q. And you were 10 to 12?

25 A. It wasn't -- what was that?

26 Q. You were 10 to 12 in that period of time,  
27 10 to 13?

28 A. Right around there, yeah. Whenever I was 9857

1 around, sometimes there would be other kids around.

2 And, you know, it wasn't like we all, like, "Oh,

3 it's time to go to bed. Let's huddle in." It's

4 like, you know, you're chatting in bed, and the next

5 thing you know you're asleep.

6 Q. But most of the occasions that you stayed at

7 Michael Jackson's house was between the ages of 9

8 and 10; is that right?

9 A. Most of the times that I went there?

10 Q. Yes.

11 A. Yeah, just about. Probably that would be

12 about right. When I first -- when I first went

13 there, it was such an amazing place, that I decided

14 to -- you know, any opportunity I had to go out

15 there, I would go.

16 Q. And after the Bermuda trip, your visits to

17 Neverland diminished? They were fewer?

18 A. Not necessarily by choice. I just didn't

19 really find myself out on the West Coast as often.

20 Q. Did Mr. Jackson ever take you on shopping

21 sprees?

22 A. Yeah, we'd go shopping.

23 Q. Where?

24 A. We used to do this thing where in the middle

25 of the night -- not necessarily the middle of the

26 night, but around, like, after the stores had

27 closed, he would arrange for us to go to Toys-R-Us.

28 And sometimes he wouldn't even arrange it. We would 9858

1 go there, and he'd literally knock on the door, and  
2 the janitor would drop his mop, and go, "What the  
3 heck?" and let us in. And then they'd -- you know,  
4 we'd go shopping basically at Toys-R-Us when the  
5 store was totally empty, because it's the only time  
6 that he could really go shopping like that.

7 Q. How many times did he do that with you?

8 A. Oh, gosh. Like two times, three times --

9 Q. How old were you?

10 A. -- something like that.

11 About -- I think the first time we did it  
12 was, like, ten.

13 Q. Did you ever have a conversation with either  
14 of your parents about the propriety of your sharing  
15 a bed with Michael Jackson?

16 A. Did I ever have a conversation with him --  
17 with them about what?

18 Q. Let me change that question.

19 Did you ever have a conversation with your  
20 parents prior to the age of 13? In other words, 12  
21 or younger. While you were 12 years of age or  
22 younger, did you ever have a conversation with  
23 either of your parents about whether or not you  
24 should be sharing a bed with Michael Jackson?

25 A. No. They never really saw it as an issue.

26 Q. Did they know that you were sleeping in his  
27 bed?

28 A. I assume so. 9859

1 Q. You assume so?

2 A. I can't tell you what they -- what they knew  
3 or didn't know or what they thought or didn't think.

4 Q. Can we assume from that your parents never  
5 came into the room while you were in bed with  
6 Michael Jackson?

7 A. That's not true, no. Sometimes my father  
8 would wake us up, because he liked going horseback  
9 riding or something like that and, you know, things  
10 that I didn't necessarily enjoy as much as he did,  
11 but he would wake me up early in the morning to go  
12 horseback riding.

13 Q. And you would be in bed alone with Michael  
14 Jackson?

15 A. Not always alone, no. And sometimes I  
16 wouldn't be always there. I would be wherever. But  
17 I knew they knew that I was in that room, and they  
18 knew I fell asleep there.

19 Q. Mr. Culkin --

20 MR. MESEREAU: Objection, he's cutting off  
21 the witness.

22 MR. ZONEN: The answer is nonresponsive to  
23 the question.

24 THE COURT: It's overruled. And you are  
25 cutting him off.

26 THE WITNESS: Yeah, he knew that I was --

27 MR. ZONEN: There's no question pending.

28 Q. BY MR. ZONEN: Mr. Culkin -- 9860

1 THE COURT: Well, just a minute. Let me  
2 take a minute here. You are getting kind of rushed  
3 here. And you are cutting the witness off.  
4 I'll just go back and take a look at this.  
5 Ask a new question, please.

6 Q. BY MR. ZONEN: Did your father ever come  
7 into Michael Jackson's bedroom while you were in bed  
8 with Mr. Jackson alone?

9 A. From what I remember, yeah.

10 Q. Did that happen more than once?

11 A. Yeah. From I remember, it's -- I don't  
12 really remember all these kind of details, but I  
13 knew he knew I was staying there. So -- and  
14 occasionally, I would be woken up to do something  
15 that he felt like doing.

16 Q. When was the first time your father walked  
17 into the room while you were in bed alone with  
18 Michael Jackson?

19 A. I can't recall.

20 Q. How old were you the first time your father  
21 walked into the room when you were alone with  
22 Michael Jackson?

23 A. I don't recall. It was during one of the  
24 earlier trips.

25 Q. So you were about nine years old?

26 A. Probably a little bit older. Like -- I  
27 don't think I went there -- I think I went there the

28 first time when I was ten. I think I first met 9861

1 Michael when I was nine.

2 Q. So the first time you would have been alone  
3 in bed with him, you were already ten years old?

4 A. Probably, yes.

5 Q. All right. Is there -- was there at the  
6 time an alarm on his door going into his bedroom?

7 A. There was like a walkway kind of thing where  
8 if somebody was approaching the door, it would kind  
9 of like "ding-dong, ding-dong."

10 Q. All right. Do you remember hearing any  
11 "ding-dongs, ding-dongs" as your father came into  
12 the room?

13 A. When anyone would approach the room, yeah,  
14 you'd hear this kind of -- soft kind of alarm, like  
15 "ding-dong" kind of thing.

16 Q. On the occasion that your father came into  
17 the room while you were in bed alone with Michael  
18 Jackson, did he say anything to you about that?

19 A. No.

20 Q. Did he say anything to Michael Jackson in  
21 your presence about your sleeping with him?

22 A. No. He didn't really seem to have a problem  
23 with it, from what I remember.

24 Q. And I asked you if he said anything. Did he  
25 say anything to Michael Jackson in your presence?

26 A. Well, what do you mean by "anything"?

27 Q. Did he say anything to Michael Jackson about

28 him sharing a bed with his ten-year-old son? Did he 9862

1 say anything to Michael Jackson about that in your  
2 presence at that time?

3 A. No, it was a very casual thing. So, no, he  
4 never really said anything.

5 Q. The answer is "No"?

6 A. No, he never said anything.

7 Q. And afterward, when you were alone with your  
8 father, did he ever discuss with you about your  
9 sharing a bed with Michael Jackson?

10 A. No.

11 Q. When was the next time your father came into  
12 the room when you were in bed with Michael Jackson  
13 alone?

14 A. I don't remember the specifics of anything  
15 like this. I don't remember when he, like, came in  
16 or when whatever. If I knew I had to remember, I  
17 probably would have.

18 Q. Did your mother ever come into the room when  
19 you were alone with Michael Jackson in bed?

20 A. It's a possibility, yeah.

21 Q. Do you remember the first time that  
22 happened?

23 A. No, not really, not in any specific detail.

24 Q. Do you know if it happened more than once?

25 A. Yeah. He had a very open-door policy. His  
26 bedroom door at that time was never locked. Anyone  
27 could walk in.

28 Q. The question was, did your mother come into 9863

1 the room while you were in bed alone with Mr.

2 Jackson more than one time?

3 A. I really couldn't speak of any specifics

4 like that.

5 Q. Did you ever have a conversation with your

6 mother about whether or not it's appropriate for a

7 10-year-old boy to be sharing a bed with a

8 35-year-old man on a regular basis?

9 A. No. We didn't share a bed on a regular

10 basis.

11 Q. Did Mr. Jackson ever talk to you about other

12 boys who shared his bed with you?

13 A. Not really, no. Like I said, it was a

14 casual thing, so it wasn't necessarily something

15 that was, like, talked about. I'd fall asleep

16 there, I'd fall asleep anywhere. People just kind

17 of fell asleep wherever they wanted to. That was

18 kind of the fun of the place, was that there was no

19 rigid rules about when or where you should fall

20 asleep.

21 Q. Did you share a bed with any other

22 35-year-old man other than a relative during your

23 adolescence?

24 A. Not that I remember, but I wasn't really

25 friends with a lot of 35-year-olds who actually

26 understood me.

27 Q. Can I assume the answer, then, is "No"?

28 A. No. 9864

1 Q. Are you aware of any of your brothers ever  
2 sharing a bed with any other 35-year-old man during  
3 their adolescence?

4 A. I can't speak of that. You'd have to ask,  
5 you know, them.

6 Q. Have you ever witnessed any of your brothers  
7 sharing a bed with any adult men, not their  
8 relatives?

9 A. Not personally, no.

10 Q. Have you ever had a conversation with your  
11 parents about sharing a bed with Michael Jackson?

12 A. No.

13 MR. ZONEN: I have no further questions.

14 THE COURT: Redirect?

15 MR. MESEREAU: Yes, please, Your Honor.

16

17 REDIRECT EXAMINATION

18 BY MR. MESEREAU:

19 Q. Mr. Culkin, you're aware that it is not  
20 illegal for someone to allow children to stay in  
21 their room?

22 MR. ZONEN: I'll object as irrelevant and  
23 leading.

24 THE COURT: Sustained.

25 Q. BY MR. MESEREAU: You said that Michael  
26 Jackson understood you. What did you mean?

27 A. Well, because of circumstances, like with my

28 career, I mean, one day I was essentially a normal 9865

1 kid who happened to be an actor, and the next thing  
2 I know, I'm just this thing where people are hiding  
3 in the bushes and trying to take your picture. And  
4 just -- people are kind of out to profit from you,  
5 or next thing you know you have a million  
6 acquaintances and no more friends anymore. It was  
7 like that.

8 And he understood that. That was one of the  
9 first things we talked about, was don't -- "I get  
10 it. I understand what you're going through. I  
11 understand the same thing." You know, "If you want  
12 to talk about anything or if you ever want to" --  
13 you know, I could learn from his knowledge,  
14 basically, of where he came from.

15 And you couldn't really find a whole lot of  
16 people, especially when you're nine years old, put  
17 in these circumstances that nobody else -- you can't  
18 really talk to anybody about this kind of stuff.  
19 And he understood it, and it was -- it was a  
20 comforting thing.

21 Q. Do you still talk to Mr. Jackson about the  
22 unique way child actors develop and live?

23 A. On occasion. It's not like it's, you know,  
24 a child performer self-help group or something like  
25 that. But at the same time, it was -- we still  
26 talk about it, because we're a part of a unique  
27 group of people. And so we have a unique

28 understanding of one another. 9866

1 And when it goes to any person who is a  
2 child performer, I kind of keep an eye out for them,  
3 and I -- because I get it. And it goes the same for  
4 anyone who, you know, was or, you know, is a child  
5 performer. I think you kind of keep an eye out.

6 You have an understanding of them.

7 Q. And when you say you get it, now, what are  
8 you saying?

9 MR. ZONEN: Objection. Asked and answered  
10 and irrelevant and exceeding the scope of the cross.

11 MR. MESEREAU: I believe the prosecutor  
12 opened this all up, Your Honor.

13 THE COURT: The objection is overruled.

14 THE WITNESS: Would you repeat the question?

15 Q. BY MR. MESEREAU: Yes. When you say he gets  
16 it, what do you mean, specifically?

17 A. Well, like I said, like the photographers in  
18 the bushes, or just profiteers, people looking to --  
19 out to get you kind of thing. And he -- he lived  
20 through that before. And so he understood what --  
21 what it was like to be put in a position that I was  
22 in, basically just thrust into that position.

23 And it's weird. It wasn't necessarily  
24 anything I chose for myself. It was something that  
25 kind of just happened, and now I have to deal with  
26 it. And he understood that.

27 Q. Now, the prosecutor asked you questions

28 about the propriety of a man in his 30s sharing his 9867

1 room with children. Have you ever stayed over at a  
2 friend's house?

3 A. Yes.

4 Q. Ever stayed in a friend's room?

5 A. Yes.

6 Q. Was it someone not related to you?

7 A. Yeah.

8 Q. Ever thought there was a problem with that?

9 A. Never.

10 Q. Did you ever see Mr. Jackson as very  
11 childlike himself?

12 A. He was very childlike, yes.

13 Q. What do you mean?

14 A. He liked doing the things that we liked to  
15 do. He liked playing the arcade games. Though he  
16 wasn't as good as us, usually, but, you know, he  
17 still enjoyed doing it, because, you know, it was  
18 one of those things. And he enjoyed the same kind  
19 of movies. He liked running around. We used to  
20 play tag. I mean, it's that kind of thing. He  
21 played with us, you know, the same kind of way I  
22 played with any of my friends my age.

23 Q. Did Mr. Jackson and you ever discuss the  
24 problem of sort of missing out on your childhoods  
25 because of all the work and pressures of success?

26 A. It was one of those things that we talked  
27 about, yeah. It just -- it kind of just comes with

28 the territory. Like I said, it's not really, you 9868

1 know, it's not really a therapy kind of thing. It's  
2 just kind of more like occasionally we would just  
3 kind of talk about those kind of things, yes.

4 Q. And you talked about an open-door policy in  
5 his room.

6 A. Uh-huh.

7 Q. Could you please explain what you mean?

8 A. Well, no doors were ever really locked in  
9 his place. It wasn't like -- you know, you could  
10 always -- you could always come -- he always told  
11 me, "You can just come to the ranch whenever you  
12 want." And every door was open, and you can go  
13 anywhere you wanted, and that included the bedroom.

14 Q. And did you feel that adults were free to  
15 come in and out as well as children?

16 A. Absolutely. He had a lot of memorabilia and  
17 things like that in his closets, and so people liked  
18 to look at that. It was one of those stops on the  
19 tour when we first showed up. It's like, "Come to  
20 the bedroom. Come see what's in the closet," those  
21 kind of things. Like I said, it's almost a part of  
22 the tour.

23 Q. Now, you talked about shopping sprees Mr.  
24 Jackson would take you and other friends on.  
25 What -- what other shopping sprees did he take you  
26 on, if you remember?

27 A. I think one time when I was -- I mean,

28 besides the Toys-R-Us kind of things, that we just 9869

1 kind of show up in the middle of the night and scare  
2 the janitor, I think when I was about 17 or 18, he  
3 was in town with Prince, and we went to -- he closed  
4 down FAO Schwartz, like, late at night, and we kind  
5 of showed up there and shopped a little there.

6 And anywhere he shops, they kind of have to  
7 close it down for him, or we have to go late at  
8 night, just because -- it just kind of comes with  
9 the territory.

10 So I think we also went CD or DVD shopping  
11 when we were in London. He was just like, "We're  
12 going to go shopping. Do you want to tag along?"  
13 And I went, "Sure."

14 But besides that, there wasn't really  
15 anything else. Those are the only times that I  
16 remember.

17 Q. You said "FAO Schwartz." Do you mean in New  
18 York?

19 A. In New York, yes.

20 Q. Was that on Fifth Avenue?

21 A. Yeah, the one on Fifth Avenue.

22 Q. Near The Plaza Hotel?

23 A. Right across the street.

24 Q. Okay. Did you feel as if there was some  
25 ulterior motive or purpose behind Mr. Jackson taking  
26 you to toy stores to shop?

27 A. No, it was just to buy toys. Usually to

28 load up on, you know, water guns or something like 9870

1 that. It was just one of those things where -- it  
2 was just one of the fun things that you could do  
3 while you were hanging out with Michael.

4 Q. Now, the prosecutor asked you questions  
5 about him buying you a watch.

6 A. Yes.

7 Q. Did you think anything unusual was --

8 MR. ZONEN: Objection; exceeds the scope of  
9 the cross-examination.

10 MR. MESEREAU: It does not, Your Honor.

11 MR. ZONEN: I'll withdraw the objection.

12 I'll withdraw the objection.

13 Q. BY MR. MESEREAU: The prosecutor talked  
14 about Mr. Jackson buying you a watch. Do you  
15 remember anything unusual about his buying you a  
16 gift?

17 A. Not at all. No, it was one of those things  
18 where, like, yeah, we'd go shopping or something  
19 like that. I thought it was a very nice gift. But  
20 at the same time, it was very sweet. And he  
21 actually had it engraved for me, it was like, you  
22 know, "From Michael Jackson," you know, "1991," or  
23 "'92," or something like that. I haven't seen it in  
24 a bunch of years, but I know I have it somewhere in  
25 a box.

26 Q. Now, in response to the prosecutor's  
27 questions you talked about Michael Jackson being

28 generous. What do you mean? 9871

1 A. He was just very open and giving with not  
2 only his money and what he -- you know, but like  
3 even just what he had.  
4 I remember a friend of mine had, like, you  
5 know -- no, it was my brother. He liked a box, a  
6 certain box. It was this wooden box. "Is it all  
7 right if I have it?" And he didn't give it a second  
8 thought. It's that kind of thing.  
9 He just kind of -- he'll let me go there, go  
10 to Neverland anytime I want. And he will let you  
11 use whatever you need to, and go wherever you need  
12 to go. And he's just a very good friend.

13 Q. Now, the prosecutor asked you questions  
14 about maybe being molested when you were asleep and  
15 not knowing about it. And you said words to the  
16 effect, you would have known about it. What did you  
17 mean?

18 A. I think I would have realized if something  
19 like that was happening to me, whether I was asleep  
20 or not.

21 Q. Do you have any reason to suspect that Mr.  
22 Jackson at any time improperly touched you?

23 A. Not at all.

24 Q. Do you have any reason to suspect that Mr.  
25 Jackson at any time had a plan to sort of become  
26 your friend so he could molest you?

27 A. Not at all.

28 Q. Do you have any reason to suspect that Mr. 9872

1 Jackson at any time was manipulating you with gifts  
2 or generosity so he could, at the right moment,  
3 strike and touch you sexually?

4 A. No, never.

5 Q. Okay. Now, the prosecutor asked you  
6 questions about Mr. Jackson referring to you and  
7 your family as family. And you said you thought he  
8 had done that on occasion, right?

9 A. Yeah.

10 Q. And what do you recall about that?

11 A. Well, we were very close. I know my mother  
12 had had contact with my father, had talked to him  
13 when I wasn't talking to him. It was just one of  
14 those things where he was a close family friend,  
15 like family.

16 Q. And the prosecutor asked you questions about  
17 whether you felt Mr. Jackson was somehow pressuring  
18 you somehow to do something improper. Did you ever  
19 feel as if Mr. Jackson was pressuring you to do  
20 anything?

21 A. He never pressured me to do anything at all.

22 Just -- he was just my friend. He never really  
23 pressured me to do anything. Not even go to sleep  
24 at the right time or eat my vegetables, you know.

25 Q. Did you see Mr. Jackson allow other children  
26 and families into his room?

27 A. Yeah. It was, you know, whenever -- it

28 was -- like I said, it was an open-door policy, not 9873

1 only for me but for whatever other families were  
2 there.

3 Q. Now, the prosecutor asked you questions  
4 about the trip to Bermuda. And you recall that  
5 trip?

6 A. Yeah, I mean vaguely. It was like a  
7 week-long trip.

8 Q. Do you recall having a pleasant time on that  
9 trip?

10 A. Yeah, we had a good time.

11 Q. Do you recall Mr. Jackson somehow trying to  
12 pressure you to do anything improper on the trip?

13 A. Not at all.

14 Q. Did you feel that when Mr. Jackson gave you  
15 this engraved watch as a gift, that he was somehow  
16 luring you into something?

17 A. Not at all. It was just a very nice gift.

18 He had given my father a gold coin before, and  
19 things like that. I mean, he gave very nice gifts.

20 Q. To adults and children, right?

21 A. Yes.

22 Q. Okay. Now, you were in Bermuda with someone  
23 named Brock; is that correct?

24 A. Yeah, I was.

25 Q. Who was Brock?

26 A. He was a friend of ours. He lives in the  
27 neighborhood that I was living in in Orlando. And

28 they had, like, a community center, something like 9874

1 that. This is before the "Home Alone" movie had  
2 come out. So it was just kind of like -- it was  
3 still easy for me to go to like a community center  
4 and play basketball or whatever. And he was just  
5 one of those kids I met, and played a lot of video  
6 games and hung out, things like that.

7 Q. Was Brock a close friend of yours at the  
8 time?

9 A. At the time, yeah, we were good friends.

10 Q. Has he stayed a friend of yours?

11 A. I haven't spoken to him for a long time. He  
12 lived in Orlando. I'm from New York.

13 Q. Do you recall Mr. Jackson doing anything  
14 that was disrespectful to Brock or his family on the  
15 trip?

16 A. Not that I know of, no.

17 Q. Did you have a good time with Mr. Jackson on  
18 the trip?

19 A. Yeah, we had a very good time.

20 Q. Okay. Now, in any of your trips where you  
21 visited Mr. Jackson in Los Angeles, did you ever  
22 feel as if he was doing anything of a suspicious  
23 nature to you?

24 A. No, not at all.

25 Q. In response to the prosecutor's questions,  
26 you said that in 1993 Mr. Jackson called you and  
27 said these allegations were false, right?

28 A. Yes. 9875

1 Q. And had you discussed with Mr. Jackson from  
2 time to time those false allegations?

3 A. Not really. It's not something we  
4 necessarily talk about. It's -- its -- you know, I  
5 think it's just a painful subject. It was a hard  
6 thing for everyone to go through, I mean especially  
7 him. It just -- it's a hard subject.

8 Q. Did you ever consider making false  
9 allegations against Mr. Jackson so you could get  
10 money?

11 A. Absolutely not.

12 Q. Did you ever even imagine doing such a  
13 thing?

14 A. No.

15 Q. Ever consider running to a lawyer and coming  
16 up with a claim against Mr. Jackson?

17 MR. ZONEN: Objection. Argumentative and  
18 leading and irrelevant.

19 THE COURT: Sustained; argumentative.

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

22

23 RE-CROSS-EXAMINATION

24 BY MR. ZONEN:

25 Q. You're telling us that Mr. Jackson had no  
26 problem with people going through the closets in his  
27 bedroom?

28 A. Yeah, it was one of those things. I mean, I 9876

1 don't necessarily think it was a good thing to rifle  
2 through everything, but it was --

3 Q. But people did?

4 A. He had a large closet. Like I said, he had  
5 a lot of his old rhinestone jackets and things like  
6 that in there.

7 Q. People did that?

8 A. People would go in there, yes.

9 Q. Sometimes people he didn't even know?

10 A. Well, I can't really speak of whether or not  
11 they knew him or not. I assumed if they were there,  
12 they knew him.

13 Q. Certainly people who were in his room with  
14 his permission had his permission as well to go  
15 through the closets and look at the memorabilia in  
16 his closets; is that right?

17 A. Sure. Like I said, it was another stop on  
18 the tour. It was another kind of thing.

19 Q. It would be nothing unusual at all about  
20 somebody who was in his room with his permission to  
21 go through his closets and his drawers?

22 A. Well, I wouldn't necessarily say the  
23 drawers. But it was kind of more -- one of the  
24 closets was a lot -- definitely a lot more for  
25 display than it was for, you know, actual clothing.

26 Q. You said he was childlike. Are you  
27 referring to his behavior back when you were 10 and

28 11 years old? 9877

1 A. Yeah. I mean, even now, he's more of a  
2 father now. It's kind of fun for me to see that.  
3 But at the same time, yeah, I mean, he still has  
4 kidlike qualities.

5 Q. Do you believe that his possession of a  
6 great deal of sexually explicit material is  
7 consistent with him being childlike?

8 A. How do you mean?

9 Q. Him possessing a lot of magazines that are  
10 very sexually explicit?

11 A. It depends on what you are talking about.

12 When I was 12 or 13 years old, I had a  
13 couple of Playboys under my bed.

14 Q. How about magazines that depict men and  
15 women engaged in sex acts, magazines with men and  
16 men engaged in sex acts?

17 A. What about them?

18 Q. Magazines of women inserting things inside  
19 of them? Would you believe that possession of those  
20 kinds of magazines, and a number of them, would it  
21 be consistent with or inconsistent with his being  
22 childlike?

23 A. Well, I think -- I don't think there's  
24 anything wrong with having those things, whether  
25 you're childlike or not.  
26 I mean, overall, he's still a human being,  
27 and it's something that human beings possess. And

28 so I don't really necessarily find that 9878

1 inappropriate. But -- but, yeah, I don't find it  
2 inappropriate.

3 Q. But it's surprising to you that he would be  
4 in possession of all of that; is that right?

5 A. Not necessarily, no.

6 Q. Did you ever watch him give things away to  
7 his employees as well?

8 A. Not firsthand. But I know it was something  
9 that did happen.

10 Q. Based on your knowledge of his generosity,  
11 you wouldn't be surprised?

12 A. I wouldn't --

13 Q. Hold on. Hold on. Wait till the question  
14 is finished.

15 A. Sorry.

16 Q. Based on your knowledge of his generosity,  
17 you wouldn't be surprised if he gave things away to  
18 his employees, for no more reason than he expressed  
19 admiration for them; is that right?

20 A. I guess so. But I couldn't speak of it.

21 But he was a very generous person.

22 MR. ZONEN: Thank you. I have no further  
23 questions.

24 THE COURT: Counsel, it's time for a break.

25 Are you going to ask questions?

26 MR. MESEREAU: Yeah, I have a few more, Your  
27 Honor.

28 THE COURT: All right. We'll take a break. 9879

1 (Recess taken.)

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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 9807 through 9880

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 May 11, 2005, and thereafter

20 reduced to typewriting by computer-aided

21 transcription under my direction.

22 DATED: Santa Maria, California,

23 May 11, 2005.

24

25

26

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



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 WEDNESDAY, MAY 11, 2005

20

21 8:30 A.M.

22

23 (PAGES 9882 THROUGH 9952)

24

25

26

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

28 BY: Official Court Reporter 9882

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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. Franklin is listed as "F" on index. Mr. Mesereau is listed as "M"  
on index.

6 Ms. Yu is listed as "Y" on index. Mr. Sanger is listed as "SA" on  
index.

7 Mr. Oxman is listed as "O" on index.

8

9 DEFENDANT'S

10 WITNESSES DIRECT CROSS REDIRECT RECROSS

11 VAN NORMAN,

James F. 9886-SA 9916-SN 9931-SA

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1 E X H I B I T S

2 FOR IN DEFENDANT'S NO. DESCRIPTION I.D. EVID.

3

4 5009-A DVD - Hamid Moslehi outtakes 9951

5 5009-B DVD - Hamid Moslehi

6 outtakes 9951

7 5009-C DVD - Hamid Moslehi outtakes 9951

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1 THE COURT: Counsel?

2 MR. MESEREAU: Yes, Your Honor. I apologize  
3 to the Court. I've reconsidered, and I have no  
4 further questions.

5 THE COURT: No apologies necessary.

6 MR. MESEREAU: Okay.

7 THE COURT: You may step down.

8 Call your next witness.

9 MR. SANGER: We'll call James Van Norman.

10 THE COURT: Come forward, please. When you  
11 get to the witness stand, please remain standing.

12 Face the clerk and raise your right hand.

13

14 JAMES F. VAN NORMAN

15 Having been sworn, testified as follows:

16

17 THE WITNESS: I do.

18 THE CLERK: Please be seated. State and  
19 spell your name for the record.

20 THE WITNESS: James F. Van Norman. Capital

21 V-a-n, capital N-o-r-m-a-n.

22 THE CLERK: Thank you.

23

24 DIRECT EXAMINATION

25 BY MR. SANGER:

26 Q. Okay. Mr. Van Norman, the first thing I'm  
27 going to ask is try to use that microphone that's on

28 your right there. 9886

1 A. Okay.

2 Q. And you have -- as you just did, you have to  
3 kind of sit close to it. It's a little hard to do  
4 in this courtroom. Everybody's had that problem.

5 Okay. First of all, do you know the  
6 gentleman seated here to my right?

7 A. Yes, I do.

8 Q. And who is that?

9 A. Michael Jackson.

10 Q. All right. When did you first meet Mr.  
11 Jackson?

12 A. The first time I met Michael was -- it was  
13 either 1990 or 1991 while I was employed with  
14 Madonna.

15 Q. What were you doing for Madonna at that  
16 time?

17 A. Personal security.

18 Q. Is that like a bodyguard?

19 A. Yes, sir.

20 Q. All right. Now, let me go back to your  
21 background and education. Do you have any  
22 particular education, formal education, in the area  
23 of becoming a bodyguard?

24 A. I have a Bachelor's of Arts from Arizona  
25 State in criminology. As for being a bodyguard, I  
26 just got into it in college and kept working it.

27 Q. And what did you do immediately after

28 college? 9887

1 A. I went to work for different organizations  
2 in the security field.

3 Q. All right. Did you do anything -- did you  
4 have any other employment other than the security  
5 field?

6 A. No.

7 Q. All right. And when you went into the  
8 security field, eventually you started working for  
9 Madonna; is that correct?

10 A. Eventually, I went to work for Madonna in  
11 1988.

12 Q. And prior to '88, did you have other  
13 experience as a bodyguard or personal security  
14 person?

15 A. Yes, I worked for a company out of Dayton,  
16 Ohio, called Professional Law Enforcement, a  
17 division of Business Risk International. I did a  
18 lot of strike work where I worked as a bodyguard for  
19 the comptrollers and the CEOs of the companies.

20 Q. All right. Now, when you went to work for  
21 Madonna, can you describe the kind of work that you  
22 did for her. You said bodyguard, personal security.  
23 What was the level of your involvement?

24 MR. SNEDDON: I'm going to object as  
25 immaterial and irrelevant.

26 THE COURT: Sustained.

27 Q. BY MR. SANGER: All right. When you first

28 met with Mr. Jackson and you first went to work for 9888

1 him, what was your assignment?

2 A. I was working personal security for Mr.

3 Jackson.

4 Q. All right. And what did that entail? Did  
5 that entail going on tour? Or give us an idea.

6 A. At first it entailed -- I started doing a  
7 lot of video shoots, where we'd, you know, be on  
8 site working the video shoots. I'd be making sure  
9 anybody coming to see Michael had to check in with  
10 us, and I'd be with him if we were out of town. If  
11 we did a tour, I went on the tour.

12 Q. All right. Now, there are different -- let  
13 me withdraw that.

14 How many different security people worked  
15 for Mr. Jackson around that period of time when you  
16 first started working for him?

17 A. When I first started, there was -- there was  
18 an A team, a B team, and then you'd have your ranch  
19 security also.

20 Q. All right. So let's talk about what the A  
21 team and the B team did.

22 A. The A team was his personal security that  
23 was with him 24/7 as a bodyguard. The B team  
24 usually worked -- they worked some video shoots, but  
25 they were usually on tour, and they would do the  
26 stadium set-up ahead of time with the local  
27 security, and they'd do some advance work.

28 Q. All right. So were you on the A team or the 9889

1 B team?

2 A. A team.

3 Q. So the B team might go -- if there was a  
4 venue where Mr. Jackson was going to perform, the B  
5 team might go in advance and set up all the security  
6 and work with local police, that sort of thing?

7 A. Yes, they'd be there ahead of time, before  
8 us, to make sure we got into the building safely.

9 Q. All right. And the A team, when the A team  
10 traveled, did the A team travel with Mr. Jackson  
11 personally?

12 A. Yes, sir.

13 Q. All right. So you wouldn't go ahead and  
14 just be there to greet him?

15 A. No. I'd be with him personally.

16 Q. And how long did you maintain that position  
17 as a member of the A team traveling personally with  
18 Mr. Jackson?

19 A. Probably 1991 until sometime in '94.

20 Q. Okay. Was part of the concern that you had  
21 or part of your job to make sure that Mr. Jackson  
22 was personally safe, in other words, not assaulted?

23 A. Yes, sir.

24 Q. Was that a concern during that period of  
25 time, from '91 to '94?

26 A. Always.

27 Q. And was that part of your training through

28 the other company you had worked for, to deal with 9890

1 the potential for assault?

2 A. Yes, sir.

3 Q. And I earlier asked, and I'm going to ask a  
4 slightly different question, so see if I -- so don't  
5 answer it until there's a chance to object.

6 MR. SNEDDON: Could I ask counsel to stop  
7 the gratuitous remarks and get to the question? I  
8 object.

9 MR. SANGER: Well, and I object to that.

10 THE COURT: Well, I object to both of you.

11 (Laughter.)

12 MR. SNEDDON: Well, the same objection was  
13 made --

14 THE COURT: Be quiet, Mr. Sneddon. You raise  
15 an objection with one word.

16 MR. SNEDDON: I object.

17 THE COURT: (To Mr. Sanger) same with you.

18 Overruled. Next question.

19 MR. SANGER: Okay.

20 Q. So this question: Did you learn anything  
21 from your work with Madonna as to how to deal with  
22 celebrities?

23 A. Yes, sir.

24 Q. Okay. And what sorts of lessons did you  
25 learn from working with Madonna?

26 A. I'm --

27 Q. Let's put it this way: Is there a

28 particular issue with regards to fans, in other 9891

1 words, fans who may appear to be adoring fans? Is  
2 that always a safe thing to assume?

3 A. No, it's not.

4 Q. All right. Now, in your work with Mr.

5 Jackson, you said you traveled from time to time; is  
6 that correct?

7 A. Yes, sir.

8 Q. Where did you travel to from '91 to '94?

9 A. All over the world. Everywhere.

10 Q. Who was the head of the security department,  
11 let us say, for Mr. Jackson during that period of  
12 time?

13 A. Bill Bray.

14 Q. All right. And did Bill Bray have an  
15 office?

16 A. Yes, he did.

17 Q. Where was that?

18 A. Down in Westwood.

19 Q. And was that -- was there an office for MJJ  
20 Productions?

21 A. Yes, sir.

22 Q. Was his office in that corporate office?

23 A. Yes, sir.

24 Q. What was MJJ Productions, to your knowledge?

25 A. Michael J. Jackson Promotions, Productions.

26 Q. Okay. So it was his company; is that right?

27 A. Yes, sir.

28 Q. And what did MJJ Productions do? What did 9892

1 they -- you said promotions. What did they promote?

2 A. They did everything. I mean, they got

3 involved with the tours. They handled all of

4 Michael's business affairs.

5 Q. All right. Now, Mr. Bray, who you referred

6 to, was then in charge of a particular part of this.

7 Can you describe what -- first of all, what was the

8 name of his organization, if he had one?

9 A. It was the Office of Special Services, and

10 they handled all of Michael's personal security

11 needs and all kinds of security needs.

12 Q. All right. Did he do some things other than

13 strictly security?

14 A. He probably did, but I don't recall.

15 Q. All right. So Mr. Bray was in charge of the

16 A team and the B team; is that correct?

17 A. Yes, sir.

18 Q. And in charge of Mr. Jackson's security in

19 general, no matter what, wherever it was?

20 A. Yes, sir.

21 Q. Did Mr. Bray sometimes travel on tour?

22 A. All the time.

23 Q. Now, Mr. Bray was there when you started

24 working for Mr. Jackson, correct?

25 A. Mr. Bray hired me.

26 Q. All right. And do you have any idea of how

27 long Mr. Bray had been with Mr. Jackson?

28 A. 25, 30 years. 9893

1 Q. Okay. What was Mr. Bray's background?

2 A. Law enforcement.

3 Q. And what particularly in law enforcement?

4 A. He was with the LAPD.

5 Q. Was he retired?

6 A. Yes, sir.

7 Q. He had been in the robbery/homicide squad?

8 A. I believe so.

9 Q. All right. Now, did Mr. Bray have a second  
10 in command, as it were, of his security operation?

11 A. Yes, sir.

12 Q. Who was that?

13 A. Wayen Nagen.

14 Q. And did Wayen Nagen travel on tour?

15 A. Yes, sir.

16 Q. Did he have anybody else in his -- in his  
17 direct chain of command?

18 A. By other --

19 Q. Well, let me ask you, do you know who Betty  
20 Bailey is?

21 A. Yes.

22 Q. Who is Betty Bailey?

23 A. Betty was Bill's assistant at the time.

24 Q. So maybe I did the "chain of command"  
25 incorrectly there.

26 Did Betty Bailey also have an office --

27 A. Yes, sir.

28 Q. -- in Los Angeles? And what was her 9894

1 background?

2 A. I'm really not sure. I don't remember.

3 Q. All right. Was it law enforcement? Or you

4 don't know?

5 A. It might have been.

6 Q. In any event, this was the office that you

7 reported to; is that correct?

8 A. Yes, sir.

9 Q. And you coordinated your activities to

10 protect Mr. Jackson?

11 A. Yes, sir.

12 Q. How many people were on the A team,

13 generally?

14 A. Six.

15 Q. Six people? And how many on the B team?

16 A. Anywhere from six to eight.

17 Q. Now, on a particular venue, when there was a

18 concert or at a particular venue when there was a

19 concert, would security interact with local police?

20 A. Yes, sir.

21 Q. And just briefly, describe how that would

22 work.

23 A. We'd meet with them, or the advance guy

24 would meet with them ahead of time to work out

25 traffic, work out escape routes, different things

26 throughout -- you know, that's going to go on during

27 a concert that we needed to let them be aware of.

28 Q. Now, when the concert was not going on, I 9895

1 take it that there were times Mr. Jackson would be  
2 residing off of his property; he'd be residing at a  
3 hotel somewhere in the world?

4 A. Yes, sir.

5 Q. Did you provide security in that respect as  
6 well?

7 A. Yes, sir.

8 Q. All right. And did you work with the hotel  
9 security to try to coordinate things?

10 A. All the time.

11 Q. When you traveled with Mr. Jackson, where  
12 would you personally stay?

13 A. I was usually in the room right next door to  
14 Mr. Jackson.

15 Q. Would that be in a suite with an adjoining  
16 door, or --

17 A. At times there was adjoining doors.

18 Sometimes it was the small little maid's quarters.

19 It all depended on where we were. I mean, sometimes

20 I had a suite. Sometimes I had a little room. It

21 didn't matter.

22 Q. All right. And how much of the day would

23 you personally spend with Mr. Jackson from '91 to

24 '94?

25 A. That would all depend on what was going on.

26 I mean, sometimes he'd stay in his room. Sometimes

27 we'd go out for the whole day. I mean, all depended

28 on the day, what was going on. And if he had a show 9896

1 the night before, he'd stay in most of the next day.

2 Q. Was it easier to go out with Mr. Jackson in

3 Europe than in the United States?

4 A. Oh, no. I don't think so.

5 Q. Was it harder?

6 A. Yes.

7 Q. Okay. And why was that?

8 A. They had a large fan base, and you're in

9 different countries, different customs, different

10 rules and regulations, and, you know, in certain

11 countries they let the fans run wild where there was

12 no, you know, outside security helping us, so it

13 could become quite chaotic.

14 Q. Was it easy for Mr. Jackson to go out in the

15 United States?

16 A. No.

17 Q. During the period of time you were with Mr.

18 Jackson from '91 to '94, can you describe what it

19 would be like for Mr. Jackson to try to go to, say,

20 a mall to shop?

21 MR. SNEDDON: I'm going to object as

22 immaterial; irrelevant.

23 MR. SANGER: It's going --

24 THE COURT: What's the relevancy?

25 MR. SANGER: Do you want me --

26 THE COURT: What is the relevancy?

27 MR. SANGER: Mr. Van Norman took over as

28 ranch manager in '94 and took over the security 9897

1 concerns of the ranch itself.

2 THE COURT: All right. Well, then the  
3 objection is sustained on the question that was  
4 asked.

5 MR. SANGER: All right.

6 Q. As far as going out in public in general,  
7 was Mr. Jackson able to simply go out in public  
8 without a group of security people?

9 A. Very rare occasions.

10 Q. And if he did that, how would he do it?

11 MR. SANGER: I'll object. Immaterial and  
12 irrelevant.

13 THE COURT: Sustained.

14 Q. BY MR. SANGER: All right. A little more  
15 direct question, if I may.

16 Would he have to wear a disguise, for the  
17 most part, to go out?

18 A. Sometimes.

19 MR. SNEDDON: Object as immaterial and  
20 irrelevant.

21 THE COURT: Overruled. The answer was,  
22 "Sometimes." Next question.

23 Q. BY MR. SANGER: All right. Now, in 1993, do  
24 you recall some particular publicity coming out  
25 about Mr. Jackson that caused additional security  
26 concerns?

27 A. Yes.

28 Q. And what was that? 9898

1 A. That was the Jordie Chandler case.

2 Q. Okay. The allegations that were made at  
3 that time; yes?

4 A. Yes.

5 Q. And those -- those allegations were  
6 published in the press widely?

7 A. Yes, sir.

8 Q. Were they published in the mainstream press?

9 A. Published all over the world.

10 Q. Did that -- what did that -- what effect did  
11 that have on Mr. Jackson's personal security?

12 A. It got a lot tougher for us, not only with  
13 the fans, but then we had the media that was all  
14 over us also.

15 Q. Okay. And at some point, did you -- or let  
16 me withdraw that.

17 When did you first go to Neverland Ranch?

18 A. The first time I went to Neverland Ranch was  
19 after the "Dangerous" tour in '93.

20 Q. All right. And was that at the time that  
21 these allegations had surfaced and the media was  
22 publishing all sorts of things?

23 A. Yes, sir.

24 Q. All right. So you had not been to the ranch  
25 before that had occurred?

26 A. No.

27 Q. So you don't know what the security policies

28 were at the ranch prior to your arriving there; is 9899

1 that correct?

2 A. Correct.

3 Q. All right. When you arrived there at the  
4 ranch, was Mr. Jackson with you?

5 A. No.

6 Q. And what was your purpose in going to the  
7 ranch?

8 A. To secure it for his arrival. He was coming  
9 back from London.

10 Q. All right. So you were there a matter of  
11 days before he got there?

12 A. About a day or two.

13 Q. Day or two. All right. And then Mr.

14 Jackson was there at the ranch, correct?

15 A. Yes, sir.

16 Q. Was he there continuously at the ranch  
17 through the end of your tenure?

18 A. No, he wasn't there continuously. He would  
19 only come at different times.

20 Q. He would go different places?

21 A. Different places, yes.

22 Q. At what point did you cease being on the A  
23 team, as it were, and start working at the ranch?

24 A. Sometime in '94 Michael asked me to look  
25 after the ranch for him, so I did.

26 Q. And were you at some point, in essence, the  
27 ranch manager?

28 A. Yes, sir. 9900

1 Q. Did you move to this area?

2 A. Yes, I did.

3 Q. Where did you move to?

4 A. At first I stayed on the ranch itself. And  
5 then I moved into Los Olivos, and eventually I was  
6 down in the same area.

7 Q. Santa Ynez area?

8 A. Santa Ynez, yes.

9 Q. And how long did you live there?

10 A. Upwards till August of '98.

11 Q. Okay. And then in August of 1998, did

12 you -- what did you do?

13 A. I went to work for the Viejas Indian Tribe  
14 down in San Diego.

15 Q. Is that where you still work?

16 A. Yes, sir.

17 Q. And your wife was employed; is that correct?

18 A. Yes, sir.

19 Q. What was her employment?

20 MR. SNEDDON: Object as immaterial and

21 irrelevant, Your Honor.

22 THE COURT: Sustained.

23 Q. BY MR. SANGER: Did your wife's employment  
24 have anything to do with your moving?

25 A. No.

26 Q. All right. So in '93, you come to -- I'm

27 sorry, '93 you come to the ranch. And was there a

28 security office at the ranch? 9901

1 A. Yes, there was.

2 Q. Did they have security guards?

3 A. Yes, they did.

4 Q. Who was in charge of that at that time?

5 A. I believe his name was Bob Wagner.

6 Q. After Mr. Wagner, who took over?

7 A. I think there was a brief time where the  
8 lieutenant just stepped in, Steve Bailey, and then  
9 Kassim Abdool.

10 Q. And did Mr. Abdool become the chief of  
11 security?

12 A. From what I recall, yes.

13 Q. Okay. Did you carry a firearm at the ranch  
14 in 1993, '94?

15 A. Yes, I did.

16 Q. Did you carry the firearm at all times?

17 A. On the ranch, yes.

18 Q. And you were trained in firearm safety; is  
19 that right?

20 A. Years ago, yes.

21 Q. Did you ever display your firearm at anybody  
22 for any purpose?

23 A. Never.

24 Q. Are you aware that Mr. Abdool alleged that  
25 you pulled out your firearm and pointed it through  
26 the gate at a fan?

27 A. I'm aware of that, yes.

28 Q. Did that ever happen? 9902

1 A. No, sir.

2 Q. Did you ever display your firearm in any  
3 way?

4 A. No, sir.

5 Q. In other words, you carried it on your  
6 person?

7 A. Yes, sir.

8 Q. Did you ever walk around with a gun just  
9 strapped to your hip?

10 A. No.

11 Q. All right. All right. Now, at the time you  
12 were getting the ranch prepared in '93 for that day  
13 or two before Mr. Jackson got there, what were your  
14 concerns at that time as far as security was  
15 concerned?

16 A. We had a lot of media build-up outside, and  
17 then of course we found a few of them sneaking onto  
18 the property. So they'd be hiding in bushes.  
19 They'd be doing whatever they can to get a picture.  
20 So we did have a lot of concern of people getting  
21 onto the property and getting close to the house.

22 Q. Was there a concern about fans as well as  
23 media?

24 A. Yes, sir.

25 Q. What was the concern about fans?

26 A. Same thing. They want to get on the  
27 property and try to get as close to Michael as they

28 could. 9903

1 Q. Around that time, was there a lot of  
2 activity at the front gate?

3 A. Yes.

4 Q. Can you describe what that was like?

5 A. Lots of media trucks, lots of fans, you  
6 know, upwards of 5- or 600 people just standing out  
7 there waiting to see who's coming in and who's  
8 going.

9 Q. Did you evaluate the security systems at the  
10 ranch at that time?

11 A. I took a look at them, yes.

12 Q. Okay. Did you do anything to change them?

13 A. I tried, but they didn't get changed.

14 Q. All right. Were the security systems state  
15 of the art?

16 A. No, sir.

17 Q. Can you describe them?

18 A. There was some sensors outside that, you  
19 know, usually the deer or the raccoons would  
20 trigger. The house wasn't very secure at the time.  
21 That's about it. It wasn't -- it wasn't a good  
22 security system at the time.

23 Q. During the time that you were there, did you  
24 make some changes with regard to securing the house?

25 A. Yes, sir.

26 Q. And what kinds of changes?

27 A. We limited the access to the house. At

28 times we posted guards at the house. Key access 9904

1 especially. That, you know, to let the doors be  
2 opened by only certain individuals so the house  
3 would be locked down so nobody could get in it  
4 unless they were, you know, supposed to go into it.

5 Q. And did this happen immediately or did this  
6 take place over time?

7 A. It took place over time.

8 Q. Now, you said key access. Were there key  
9 pads on the house, or were there keys, or do you  
10 remember?

11 A. There were keys at that time.

12 Q. All right. And so you limited -- you  
13 started, over this period of time, starting to  
14 insist that the doors actually be locked?

15 A. Yes, sir.

16 Q. And that certain people would have keys to  
17 get in; is that right?

18 A. Yes, sir.

19 Q. Were guests given keys?

20 A. No, sir.

21 Q. So if somebody wanted to get in, they'd call  
22 security?

23 A. They'd call security, yes.

24 Q. Did they call housekeeping?

25 A. They had keys also.

26 Q. All right. Now, nevertheless, if there were  
27 guests staying at the -- staying on the property in

28 the guest units, for instance, would they be allowed 9905

1 to have free access to the house?

2 A. Yes, sir.

3 Q. All right. So who were you trying to keep  
4 out?

5 A. Fans and media.

6 Q. All right. During the period of time you  
7 were there, did any fans actually penetrate the  
8 property?

9 A. Yes, sir.

10 Q. About how many occasions?

11 A. There was quite a few that they got on the  
12 property. As to actually getting to the house,  
13 there was a few occasions that they did actually get  
14 to the house, and one occasion where they got in.

15 Q. Okay. And where did the person get in?

16 Where did the person who got in end up?

17 A. She ended up in the back door, up the  
18 stairs, hiding in a crawlspace for the whole day.

19 Q. Did that appear to you to be a serious  
20 breach of security?

21 A. Yes, sir.

22 Q. And based on your experience with Madonna  
23 and your other experience in the industry, are  
24 celebrity stalkers sometimes dangerous?

25 A. Very.

26 Q. Most of the time not, I take it.

27 A. You can't -- you never know. I mean, they

28 change. They're very dangerous at times, though. 9906

1 Q. All right. Now, during the time that you  
2 were working for Mr. Jackson, did you have occasion  
3 to know the Barnes family?

4 A. Yes, sir.

5 Q. Did you see them with Mr. Jackson?

6 A. Yes, sir.

7 Q. Did you see -- can you tell us about the  
8 family that you saw?

9 A. Very nice family. They did a lot of  
10 traveling with us. I liked them.

11 Q. Okay. And who were the family members that  
12 you remember seeing?

13 A. Brett. Karlee. Mrs. Barnes. And  
14 occasionally Mr. Barnes.

15 Q. So the whole family, two parents and --

16 A. Yes.

17 Q. -- and a son and daughter.

18 Did you have occasion to meet Macaulay  
19 Culkin and his family?

20 A. I met Macaulay, but not his family, and that  
21 was at a time in Chicago when I was there doing a  
22 video with Michael.

23 Q. So you didn't see Macaulay Culkin or his  
24 family at the ranch when you were there?

25 A. No.

26 Q. All right. Do you know Wade Robson and his  
27 family?

28 A. Yes. 9907

1 Q. Can you tell us about that family?

2 A. I don't remember if I ever -- I think they  
3 were at the ranch a few times, but I met him more at  
4 video shoots that we did. And Wade was dancing and  
5 things like that. His mother was Joy.

6 Q. Okay. Did you have occasion to meet Jordie  
7 Chandler?

8 A. No.

9 Q. Okay. Did you ever meet his mother?

10 A. No.

11 Q. Did you know Blanca Francia?

12 A. No.

13 Q. She would have been gone before you arrived;  
14 is that right?

15 A. Yes, sir.

16 Q. All right. So therefore you didn't meet  
17 Jason Francia either?

18 A. No.

19 Q. With all of those people that you just  
20 mentioned, the ones that you met, the Barnes, the  
21 Robsons, Culkin, to the extent that you saw him, did  
22 you ever see Mr. Jackson ever do anything  
23 inappropriate with any of them?

24 A. No, sir.

25 Q. Now, you mentioned Bill Bray, who is a  
26 retired L.A. Police Department detective. Did he  
27 take an active interest in the security at Neverland

28 Ranch? 9908

1 A. When we first got there, yes.

2 Q. And did he come up from time to time?

3 A. Yes, sir.

4 Q. Did you answer to Mr. Bray during the time  
5 that you worked there?

6 A. During the whole time that I worked there?

7 Q. Well, let's start with from '91 to '94.

8 A. From '91 to '94 I did, yes.

9 Q. And then after you became ranch manager, you  
10 didn't report directly to him anymore?

11 A. No.

12 Q. You still knew him?

13 A. Yes.

14 Q. If you had seen anything inappropriate with  
15 these children or any law violations, would you have  
16 reported them to Mr. Bray?

17 A. Yes, sir.

18 Q. By the way, did Mr. Bray travel on tour from  
19 time to time?

20 A. Yes, sir.

21 Q. Now, how many employees were there at the  
22 ranch when you were working as ranch manager?

23 A. When I started or when I finished?

24 Q. Give us the range.

25 A. I think there was about 160 when we first  
26 went up there, and about 80 in '98 when I left.

27 Q. Okay. And did the various department heads

28 report to you? 9909

1 A. Yes, sir.

2 Q. So at that time, you would have been -- you  
3 would have had housekeeping, security, fire, zoo,  
4 all the others would have reported to you; is that  
5 correct?

6 A. Yes, sir.

7 Q. Did you have meetings with them from time to  
8 time?

9 A. Yes, sir.

10 Q. And the employees that you described, from  
11 160 at the high point down to maybe 80-some at the  
12 lower point, were those people who lived in the  
13 community here?

14 A. Yes, sir.

15 Q. And how many people were there who came up  
16 from, as it were, from the corporate headquarters,  
17 who worked there?

18 MR. SNEDDON: I'm going to object as  
19 immaterial.

20 THE COURT: Sustained.

21 MR. SANGER: Okay.

22 Q. Did at some point Mr. Abdool, Kassim Abdool,  
23 Ralph Chacon and Adrian McManus stopped coming to  
24 work?

25 A. Yeah, they just stopped coming to work.

26 Q. Did they all stop on the same day?

27 A. Pretty much.

28 Q. Okay. Did they at some point sue you? 9910

1 A. Yes, sir.

2 Q. And they sued seven other employees; is that  
3 right?

4 A. Yes, sir.

5 Q. Sued Bill Bray?

6 A. Yes, sir.

7 Q. Betty Bailey?

8 A. Yes, sir.

9 Q. With the exception of -- let me withdraw  
10 that. Melanie Bagnall also joined that lawsuit; is  
11 that correct?

12 A. Correct.

13 Q. And she sued Andrew Merritt; is that right?

14 A. Yes, sir.

15 Q. With the exception of Andrew Merritt, were  
16 all the people that were sued people from the  
17 corporate headquarters, for lack of a better term?

18 A. Yes, sir.

19 Q. And what was the outcome of that lawsuit?

20 A. We won it hands-down. I think it was 12

21 "No" verdicts on all but one.

22 Q. The all but one --

23 A. Was the Andy Merritt.

24 Q. Melanie Bagnall's claims against Andy  
25 Merritt?

26 A. Yes, sir.

27 Q. Andy Merritt was a security guard?

28 A. Yes, sir. 9911

1 Q. And he won that as well?

2 A. He won that as well, yes.

3 Q. 10 to 3 or something?

4 A. Something like that.

5 MR. SNEDDON: I'm going to object. Asked

6 and answered; move to strike.

7 THE COURT: Overruled.

8 Q. BY MR. SANGER: Okay. Now, with regard to

9 the '93 period of time, do you recall in '93 whether

10 or not there were certain people who went to the

11 media to sell their stories?

12 A. Yes, sir.

13 Q. Do you recall who some of those people were?

14 A. Yes, sir.

15 Q. Tell us.

16 A. Ralph Chacon, Adrian McManus, and Kassim

17 Abdool, Melanie Bagnall, Sandi Domz.

18 Q. Now, actually, before they went to the

19 media, were there any other employees who had gone

20 to the media?

21 A. I believe there were, but I don't remember

22 the names.

23 Q. Do you remember if Blanca Francia --

24 MR. SNEDDON: Your Honor, I'm going to

25 object as leading.

26 THE COURT: Overruled.

27 Q. BY MR. SANGER: Do you remember if Blanca

28 Francia was one of them? 9912

1 A. I remember hearing that, yes, but I didn't  
2 know her.

3 Q. These were people that were before you got  
4 there?

5 A. Yes, sir.

6 Q. During the time you were ranch manager --  
7 you said you reported directly to Bill Bray before  
8 you were ranch manager?

9 A. Yes.

10 Q. After you were ranch manager, who did you  
11 report to?

12 A. Steve Chabrey or Mr. Jackson himself.

13 Q. Who was Steve Chabrey?

14 A. He was the CEO at the time of MJJ  
15 Productions.

16 Q. And he had an office down in L.A.?

17 A. Yes.

18 Q. And he would have been Mr. Bray's boss as  
19 well, I suppose.

20 A. I don't know if they were separate or not,  
21 but Mr. Chabrey was overseeing the whole operation  
22 at the time.

23 Q. And you said you also reported to Michael  
24 Jackson?

25 A. Yes, sir.

26 Q. Now, have you gotten to know Mr. Jackson on  
27 a personal basis, personal level?

28 A. Yes, sir. 9913

1 Q. And how did that occur?

2 A. I think over years of, you know, building up  
3 the trust, that, you know, Michael felt comfortable  
4 with me, and we talked about different things, and I  
5 was able to talk to him about things that were going  
6 on.

7 Q. All right. And that occurred before you  
8 became ranch manager?

9 A. Yes, sir.

10 Q. While you were ranch manager, did you still  
11 have the opportunity to talk with Mr. Jackson when  
12 he was on the property?

13 A. Yes, sir.

14 Q. Did you talk to him every day?

15 A. No, sir.

16 Q. All right. What was your, let's say, policy  
17 or attitude towards talking with Mr. Jackson?

18 A. I would only talk to him if he would come up  
19 to me or if I really needed to ask him something  
20 about what was going on. I didn't make it a point  
21 to try to, you know, buddy up with him and get to  
22 know him, but I had a job to do.

23 Q. All right. And at the ranch, if there was a  
24 policy decision about security, for instance, how  
25 would that policy decision generally be made?

26 A. When I was the ranch manager, I would make  
27 the ultimate decision on the policy.

28 Q. Did you ask Mr. Jackson? 9914

1 A. No.

2 Q. All right. And who would you consult with  
3 when you were ranch manager?

4 A. Sometimes I'd run it through Evvy, who was  
5 Michael's -- that worked for Michael down in L.A. A  
6 lot of times, depending on the policies, you know, I  
7 made the decision myself.

8 Q. And going the other way in the chain of  
9 command, who would you consult with?

10 A. What do you mean, "going the other way"?

11 Q. In other words, would you talk to the head  
12 of security, for instance?

13 A. I talked to them, yes, about why we're doing  
14 this and why it needs to be done.

15 Q. With regard to other decisions of that sort,  
16 was Mr. Jackson hands-on running things at the  
17 ranch, telling people what to do?

18 A. No, sir.

19 Q. Would Mr. Jackson from time to time ask  
20 employees for things, for assistance with something,  
21 unlock a door --

22 A. Yes, sir.

23 Q. As far as making these policy decisions on  
24 security and that sort of thing --

25 A. No, he wasn't involved.

26 Q. All right. And despite the fact you left  
27 employment to go down and work in San Diego, do you

28 still consider Mr. Jackson to be a friend? 9915

1 A. Yes, sir.

2 Q. Have you had any contact with him recently?

3 A. Just said hello yesterday. I haven't seen  
4 him since I left, so I did consider him a friend,  
5 yes.

6 MR. SANGER: That's fair enough.

7 Thank you. I have no further questions.

8 THE COURT: Cross-examine.

9

10 CROSS-EXAMINATION

11 BY MR. SNEDDON:

12 Q. Good morning, Mr. Van Norman.

13 A. Good morning, Mr. Sneddon.

14 MR. SNEDDON: Hand me that water, if you  
15 would.

16 Q. When you began work for Mr. Jackson  
17 originally, you were strictly involved in either  
18 providing security on the videos or on a tour,  
19 correct?

20 A. Yes, sir.

21 Q. And you did accompany Mr. Jackson on a  
22 European tour at one time?

23 A. Yes, sir.

24 Q. And with regard to that particular tour,  
25 your responsibilities were security-related on the A  
26 team?

27 A. Yes, sir.

28 Q. Were you carrying a weapon at that time? 9916

1 A. No, sir.

2 Q. Did you ever carry a weapon in the  
3 protection of Mr. Jackson during any of the tours  
4 that you went on with him?

5 A. No, sir.

6 Q. Did you ever carry a weapon during any of  
7 the times that you did any video shoots with Mr.  
8 Jackson?

9 A. No, sir.

10 Q. Did you ever do any -- did you ever carry a  
11 weapon at any of the times when you provided  
12 security for Mr. Jackson when he was doing concerts?

13 A. No, sir.

14 Q. The video shoots that you went on with Mr.  
15 Jackson were often done in a public setting,  
16 correct?

17 A. Yes. Yes, sir.

18 Q. I'm sorry. Go ahead.

19 A. Yes, sir.

20 Q. The reason that you had to interact with the  
21 local law enforcement is sometimes they would be  
22 done with a lot of fans standing around watching  
23 what was going on, correct?

24 A. Yes.

25 Q. And oftentimes in the concerts that you were  
26 at, there were thousands and thousands of fans in an  
27 open venue --

28 A. Yes, sir. 9917

1 Q. -- correct?

2 Now, during the time that you said you began  
3 your employment on the ranch in December of 1993,  
4 okay? Is that correct?

5 A. Yes, sir.

6 Q. Okay. And that you, prior to that, had been  
7 on tour with Mr. Jackson?

8 A. Yes, sir.

9 Q. Now, when the allegations surfaced about the  
10 Jordan Chandler situation with Mr. Jackson, the tour  
11 was aborted, was it not?

12 A. "Aborted" meaning over?

13 Q. Yeah, it was stopped prematurely?

14 A. No, sir.

15 Q. You don't recall Mr. Jackson being in Mexico  
16 for a month or a month and a half?

17 A. Yeah, but when the allegations first came  
18 out, we were on tour and we didn't stop it right  
19 then and there. We continued until we got to Mexico  
20 City, and then we cancelled a few dates after that.

21 Q. And then you went to England for a while.

22 Did you go with Mr. Jackson to England?

23 A. No, sir.

24 Q. So there were several months where Mr.  
25 Jackson was out of the country in either Mexico or  
26 England where you weren't part of his A team at that  
27 time?

28 A. He left right from Mexico to England, and it 9918

1 was -- I don't think it was several months. I think  
2 it was six weeks.

3 Q. I won't quibble with you over a couple  
4 weeks, but you weren't part of the A team providing  
5 security at that time?

6 A. I don't think he had anybody with him at the  
7 time.

8 Q. Now, when you got to the ranch, you did  
9 carry a weapon, correct?

10 A. Yes, sir.

11 Q. You were armed?

12 A. Yes, sir.

13 Q. And the other OSS officers were also armed?

14 A. Yes, sir.

15 Q. And there were four of them?

16 A. Yes, sir.

17 Q. The names -- Tony Coleman is one I know.

18 A. Tony Coleman. Marcus Johnson. Jerome  
19 Johnson.

20 Q. Okay. Now, you know what a guard card is,  
21 don't you?

22 A. Yes, sir.

23 Q. What's a guard card?

24 A. A guard card is something that a security  
25 guard needs to work in the State of California.

26 Q. And during the time that you were providing  
27 security for Mr. Jackson at his ranch from December

28 of '93 on, you did not have a guard card, correct? 9919

1 A. No, sir.

2 Q. And the weapon that you were carrying on  
3 your person during the time you were employed there  
4 was a nine-millimeter Glock?

5 A. Yes, sir.

6 Q. And you had another sidearm -- not sidearm,  
7 but another weapon, pistol, I guess. It's a Witness  
8 .40 semi-automatic?

9 A. Yes, sir.

10 Q. And you had a stun gun?

11 A. Yes, sir.

12 Q. Now, did you carry your -- the one that you  
13 carried on your person most of the time was the  
14 nine-millimeter Glock, correct?

15 A. Yes, sir.

16 Q. Did you carry that on your waist?

17 A. Usually on my back.

18 Q. In a -- back here?

19 A. Back -- uh-huh, yes, sir.

20 Q. Let's go back a little bit and talk about  
21 some of the tours you were on. You were in Chicago  
22 with Mr. Jackson with the Barnes family, correct?

23 A. Yes, sir.

24 Q. And on all of the tours that you went on,  
25 was it your position to be in the room next door to  
26 Mr. Jackson's room?

27 A. I would say 95 percent of the time that's

28 where my room was. 9920

1 Q. Fair enough. And it was your observation,  
2 was it not, that during the time that Brett Barnes  
3 was in Chicago, that he stayed with Mr. Jackson in  
4 Mr. Jackson's room, correct?

5 A. I believe so, yes.

6 Q. And it was your observation that during the  
7 time that the Barnes family accompanied Mr. Jackson  
8 to South America -- were you on that tour?

9 A. Yes, sir.

10 Q. -- (continuing) that Mr. Jackson -- that  
11 Brett Barnes spent virtually every night with Mr.  
12 Jackson in his bedroom, correct?

13 A. I believe so, yes.

14 Q. And there was a South American tour,  
15 correct?

16 A. Yes, sir.

17 Q. And Brett Barnes was on that tour with Mr.  
18 Jackson, correct?

19 A. I believe so.

20 Q. And spent every night with Mr. Jackson in  
21 his room?

22 A. I believe so.

23 Q. Were you present at the time that Mr.  
24 Jackson was about to get on the plane to leave for  
25 that tour to South America? Were you in the limo  
26 with Mr. Jackson?

27 A. I don't recall exactly where I was, whether

28 I was in the limo, but I was on the tour, so I was 9921

1 either standing outside the limo or sometimes I  
2 drove in the limo with him.

3 Q. Do you recall Brett Barnes being in the limo  
4 with Mr. Jackson?

5 A. I don't remember back then, that far.

6 Q. Do you remember them having to take Mr.  
7 Barnes away from Mr. Jackson and hide him away from  
8 the people to get on the plane in a separate way?

9 A. No, I don't.

10 Q. You don't recall any of that?

11 A. No, I don't.

12 Q. How old was Brett Barnes about the time that  
13 he was traveling with Mr. Jackson, in your opinion?

14 A. About 13.

15 Q. Teenager?

16 A. Yes, sir.

17 Q. You never questioned what a teenager was  
18 doing in Mr. Jackson's bedroom night after night  
19 after night?

20 A. No, sir.

21 Q. You didn't think it was inappropriate for a  
22 teenager to be sleeping with a 35-year-old man --

23 A. No, sir.

24 Q. -- not his relative?

25 A. No, not at the time.

26 Q. While you were -- while you were at the  
27 ranch, you did purchase some security equipment in

28 an attempt to upgrade the systems there, right? 9922

1 A. Not really to update the systems. Just to  
2 give them a little more security to certain areas,  
3 yes.

4 Q. But you did buy some security equipment?

5 A. Yes, I did.

6 Q. And did you ever buy any eavesdropping  
7 devices?

8 A. No, sir.

9 Q. Anything that you plugged into the wall so  
10 you could listen to people?

11 A. No, sir.

12 Q. When you purchased the equipment that was to  
13 upgrade the security system there, would the invoice  
14 that you were given correctly describe the items  
15 that you bought?

16 A. No, sir.

17 Q. In other words, it was -- it was not  
18 correct?

19 A. It was not correct, yes.

20 Q. And what was the reason that the invoice did  
21 not accurately depict the things that you actually  
22 purchased?

23 A. We didn't want anybody to know we were  
24 purchasing video equipment to go outside of Mr.  
25 Jackson's bedroom so he could have -- he could see  
26 who's coming down the hallway. And we felt it was  
27 nobody else's business what we were doing. So if we

28 depicted it as video equipment and what it was, then 9923

1 it serves no purpose; that people would know that  
2 there's a camera out there.

3 Q. Well, who would be looking for invoices that  
4 you'd buy security equipment from?

5 A. People that go through the invoices. The  
6 accountants. The people at the ranch that were  
7 working in administration. It was none of their  
8 business.

9 Q. So you didn't use that invoice to hide the  
10 fact that you bought eavesdropping devices that were  
11 inserted into all the walls in the house?

12 A. I didn't buy any eavesdropping devices, sir.

13 Q. Okay. The ranch phone system. I believe  
14 you indicated previously that, to your knowledge,  
15 there are three places where one can overhear a  
16 telephone call, correct?

17 A. Yes, sir.

18 Q. One is in the administrative office?

19 A. Yes, sir.

20 Q. One is at the guard shack?

21 A. Yes, sir.

22 Q. And the other is in Mr. Jackson's room?

23 A. Yes, sir.

24 Q. Those are the only three places, to your  
25 knowledge, when you worked there that that could be  
26 done?

27 A. Yes, sir.

28 Q. Do you recall a situation where you were 9924

1 called out to the ranch involving a disagreement  
2 between Mr. Coleman and Mr. Chacon over a person who  
3 had come onto the ranch?

4 A. I recall something of that, but I really  
5 don't recall the whole incident.

6 Q. Do you recall there was a couple of  
7 foreigners who had mistakenly strayed onto the ranch  
8 and were encountered by guards?

9 A. Mistakenly?

10 Q. Yeah.

11 A. Okay. No. I do recall that incident, yes.

12 Q. Well, they thought --

13 A. It's coming back to me.

14 Q. Well, they were given permission to go on  
15 the neighbor's ranch, correct?

16 A. I don't know the whole story, no. I don't  
17 recall it. I recall bits and pieces, but I don't  
18 know why they were on Michael's ranch to begin with.

19 Q. So you didn't look into it, as the chief of  
20 security, to ascertain whether there was a system  
21 failure here?

22 A. I wasn't the chief of security.

23 Q. You were one of the security guards?

24 A. Right, but I wasn't handling that issue. It  
25 was Mr. Coleman.

26 Q. You actually, as a matter of fact, took  
27 reports from the individuals involved, did you not?

28 A. I don't -- 9925

1 MR. SANGER: This is beyond the scope of  
2 direct; and relevance.

3 MR. SNEDDON: That has to do with his range  
4 of responsibilities, Your Honor. And it also  
5 involves Mr. Chacon.

6 THE COURT: The objection is sustained.

7 Q. BY MR. SNEDDON: Did you not conduct an  
8 investigation?

9 A. I don't remember if I did. I did a lot of  
10 stuff at the time, and that actual thing I don't  
11 remember.

12 Q. Do you recall whether the sheriff's  
13 department was called out?

14 MR. SANGER: Objection. Relevance; beyond  
15 the scope.

16 THE COURT: Overruled.

17 You may answer.

18 THE WITNESS: Again, I don't remember the  
19 whole situation. They may have been.

20 Q. BY MR. SNEDDON: Do you recall whether or  
21 not the people were arrested and prosecuted?

22 A. No, I don't.

23 Q. All right. Just a couple more questions.

24 One of the things that you did when you came  
25 onto the ranch in '93 - okay? - was that you began  
26 to look at some of the personnel files, correct?

27 A. Yes, sir.

28 Q. And you looked at Mr. Chacon's file twice, 9926

1 correct?

2 A. I believe so. Back then - it's a ways

3 back - but I believe that's what I did state --

4 Q. Okay.

5 A. -- on another case.

6 Q. And you did look at Mr. Abdool's file,

7 correct?

8 A. Yes, sir.

9 Q. And one of the other things that you looked

10 at was to compare the gate logs with the time cards

11 to see whether or not any individuals on the ranch

12 were cheating in terms of the number of hours they

13 were working, correct?

14 A. Yes, sir.

15 MR. SANGER: I'm going to object, Your

16 Honor. This is beyond the scope of direct, and

17 relevance, and 352.

18 THE COURT: I'm not sure where you're going.

19 MR. SNEDDON: It's credibility, Your Honor.

20 THE COURT: All right.

21 MR. SNEDDON: And I think you'll see when I

22 ask the next question.

23 THE COURT: All right. Go ahead. Overruled.

24 Q. BY MR. SNEDDON: And with regard to Mr.

25 Chacon, you compared your records with the time

26 cards and they were accurate. They didn't cheat the

27 ranch, did they?

28 A. No, he didn't, but other employees did. 9927

1 MR. SNEDDON: Move to strike as

2 nonresponsive.

3 THE COURT: The last part is stricken.

4 Q. BY MR. SNEDDON: And with regard to Mr.

5 Abdool, you checked his time cards with the gate

6 logs and they were honestly filled out, correct?

7 A. Yes, sir.

8 Q. And with regard to Adrian McManus, you also

9 checked hers, and they were honestly filled out,

10 correct?

11 A. Yes, sir.

12 Q. And one of the other responsibilities that

13 you conducted at the ranch was to determine whether

14 or not there were any thefts from the ranch,

15 correct?

16 A. We looked to see if things were missing and

17 things along those lines, yes.

18 Q. Correct. And in that connection when you

19 did that, you determined that Adrian McManus, to

20 your knowledge, had never taken anything from the

21 ranch, correct?

22 A. I don't remember investigating Adrian to see

23 if she took anything from the ranch at that time.

24 Q. Do you remember your deposition being taken

25 in your lawsuit and being asked that question?

26 A. No, I don't remember right now. Sorry.

27 Q. All right. Do you remember the same

28 question being asked as to Mr. Chacon, that you 9928

1 had --

2 MR. SANGER: Well -- I'm sorry, Your Honor.

3 If he doesn't remember the question, how can he

4 remember the same question? So I object.

5 MR. SNEDDON: Maybe he just doesn't remember

6 that individual.

7 THE COURT: Just stop talking to each other.

8 The objection's overruled. You may ask that

9 question. I'm not sure you got it all out.

10 MR. SNEDDON: I'll start over again, Your

11 Honor.

12 Q. The question is, with regard to -- I think

13 we're on Mr. Chacon at this point, if I'm not

14 mistaken; that you never saw Mr. Chacon take

15 anything from the ranch, correct?

16 A. I never saw him take anything, no.

17 Q. And with regard to Kassim Abdool, you never

18 saw him take anything from the ranch?

19 A. I never saw him take anything, no.

20 Q. And with regard to Miss McManus, you never

21 saw her take anything from the ranch?

22 A. No, I never saw her take anything.

23 MR. SNEDDON: No further questions.

24 Oh, wait. I'm sorry. I do apologize. One

25 area. This won't take long.

26 Q. Also one of your responsibilities was that,

27 after you came there in December of '93, the locks

28 on Mr. Jackson's -- the entrance door to Mr. 9929

1 Jackson's room were changed, correct?

2 A. Yes, sir.

3 Q. And you were one of the people who was given  
4 the directive to take care of that?

5 A. Yes, sir.

6 Q. And as a matter of fact, it was changed on a  
7 couple of occasions due to some communication issues?

8 A. Yes, sir.

9 Q. And Mr. Jackson was not present on the ranch  
10 at that time, correct?

11 A. No, he was not.

12 Q. And the orders were given that no one was to  
13 go into his room in his absence, correct?

14 A. I believe so.

15 Q. And the locks that were changed are locks  
16 that lock on the inside of the door, correct?

17 A. Lock on the inside?

18 Q. Yeah, that the lock's on the inside?

19 A. Deadbolt on the inside?

20 Q. Right.

21 A. I believe so, but I don't remember offhand.

22 MR. SNEDDON: Okay. All right. Thank you.

23 I'm sorry.

24 THE COURT: All right. Redirect.

25 MR. SANGER: Yes. Thank you.

26 //

27 //



1 REDIRECT EXAMINATION

2 BY MR. SANGER:

3 Q. Let's go to the question area about carrying  
4 weapons.

5 First of all, did you, in the course of your  
6 employment with Mr. Jackson at the ranch, ever carry  
7 a concealed weapon off of his private property?

8 A. No, sir.

9 Q. So if you went into Los Olivos or someplace  
10 else, you would not carry a concealed weapon; is  
11 that correct?

12 A. Correct.

13 Q. Did you understand that you needed a guard  
14 card to carry a concealed weapon on Mr. Jackson's  
15 private property, at his home?

16 A. I don't believe that I did need a guard card  
17 at the time.

18 Q. You did have training in firearms, right?

19 A. Years ago, yes.

20 Q. Did you have any licenses in any  
21 jurisdictions to carry a weapon?

22 A. No, sir.

23 Q. So when you were in other jurisdictions, did  
24 you ever carry a concealed weapon?

25 A. No, sir. We usually hired off-duty police  
26 officers to work with us.

27 Q. All right.

28 MR. SNEDDON: Move to strike the last part 9931

1 as nonresponsive, Your Honor.

2 THE COURT: Stricken.

3 Q. BY MR. SANGER: All right. I was going to  
4 get back to this. You worked with actual on-duty  
5 law enforcement in various venues; is that correct?

6 A. Yes, sir.

7 Q. And did you hire people who were authorized  
8 to carry weapons in other jurisdictions?

9 A. Sometimes, yes.

10 Q. Did Mr. Jackson like to have people have  
11 firearms around him?

12 A. No, sir.

13 MR. SNEDDON: I'm going to object. Call for  
14 speculation, conclusion, lack of foundation.

15 MR. SANGER: Let me withdraw it and phrase  
16 it in a different way, if I may.

17 Q. Did Mr. Jackson ever express to you whether  
18 or not he wanted people to have people carrying  
19 firearms around him?

20 MR. SNEDDON: Object. Hearsay.

21 THE COURT: Overruled. You may answer.

22 THE WITNESS: I don't think he liked to have  
23 guns around him, no.

24 Q. BY MR. SANGER: All right. In 1993 when you  
25 came to the ranch, and you've already described the  
26 situation with the media and fans and all that --  
27 well, let me withdraw it and put it directly this

28 way: Why did you feel it was necessary to carry a 9932

1 concealed firearm while you were on the ranch  
2 property?

3 A. Well, if I can go back to when I worked with  
4 Madonna also, they -- these fans can be very  
5 dangerous and sometimes they are armed. And there's  
6 been occasions where I've had fans that were armed  
7 that I've taken a gun away from, or a knife, and  
8 it's just for our protection, as well as, you know,  
9 I'm not going to go in there blind and get myself  
10 hurt.

11 Q. Now, at the ranch, was there a sheriff's  
12 station, you know, within, say, a mile or two of the  
13 front gate?

14 A. No, sir.

15 Q. And from time to time, did you actually go  
16 out and patrol areas away from the house?

17 A. Do you mean -- oh, yeah, definitely, out in  
18 the woods and stuff like that, and we've caught fans  
19 out there.

20 Q. And how would you go out into the wooded  
21 area?

22 A. Usually in a truck. Occasionally on  
23 horseback.

24 Q. All right. Did you ever have to use -- did  
25 any of you ever have to use your weapons in any way?

26 A. No, sir.

27 Q. All right. There was a question about --

28 well, let me ask you this: When people travel with 9933

1 Michael Jackson, would it be the responsibility of  
2 the personal security staff to also protect those  
3 people?

4 A. Yes, sir.

5 Q. And would fans or other people have interest  
6 in people who travel with Michael Jackson simply  
7 because they were doing so?

8 A. Yes, sir.

9 Q. So somebody might not be famous, but if  
10 they're with Michael Jackson, they're --

11 A. They're in the line of fire, so to speak.

12 There's instances where we were overtaken sometimes  
13 and we would have to get everybody out, so --

14 Q. You were asked about children being with Mr.  
15 Jackson on tour and elsewhere. What was Mr.

16 Jackson's attitude towards the children that you saw  
17 him with?

18 A. His "attitude" meaning --

19 Q. What's his demeanor? How did he behave with  
20 children?

21 MR. SNEDDON: I'll object to the foundation.

22 THE COURT: Sustained.

23 Q. BY MR. SANGER: I'm asking about your  
24 personal observation of Mr. Jackson hanging out with  
25 children. First of all, did you see Mr. Jackson  
26 hanging out with children from time to time?

27 A. Yes, sir.

28 Q. And what was your observation about his 9934

1 demeanor, his interrelation with these children?

2 A. He was like one of the kids. I mean, they'd  
3 have water balloon fights, pillow fights, food  
4 fights. It was a debacle. Just a lot of things  
5 that kids do.

6 Q. All right. And did this occur on tour?

7 A. Occasionally, yes.

8 Q. Did it occur at his home at Neverland?

9 A. Most of the time.

10 Q. Did Mr. Jackson also -- well, did you see  
11 him with adults?

12 A. Yes sir.

13 Q. How did he interact with adults?

14 A. He'd interact. I mean, he was more shy  
15 around adults than he was with the kids. That's how  
16 I saw him, you know, with the adults. He related  
17 more with the children.

18 Q. Okay. There was a question about whether or  
19 not you called the sheriff or somebody called the  
20 sheriff with regard to an intruder. Let me ask you  
21 about the policy of the security department at the  
22 ranch. Was there a policy with regard to security  
23 officers arresting people?

24 A. I don't remember the policy right off the  
25 top of my head.

26 Q. Well, let's make it simple.

27 A. They'd handcuff them. You know, they'd

28 handcuff them, and I believe then they would call 9935

1 the sheriffs, and the sheriffs would come and take  
2 them away.

3 Q. Security didn't put people in their car or  
4 truck and drive them down to a sheriff's station?

5 A. No, sir.

6 Q. So it would be routine policy to call the  
7 sheriffs if you had an intruder; is that right?

8 A. Yes, sir.

9 Q. You were asked about, when you first came to  
10 the ranch, checking to see if there were people  
11 cheating on the payroll.

12 A. Yes, sir.

13 Q. And one of the things you did, apparently,  
14 was to check their time cards against the gate logs;  
15 is that right?

16 A. Yes, sir.

17 Q. Now, at that time you didn't find a  
18 discrepancy with regard to Mr. Abdool or Mr. Chacon;  
19 is that right?

20 A. That's correct.

21 Q. And you were asked about initially looking  
22 into theft from the ranch; is that correct?

23 A. Yes, sir.

24 Q. During your initial investigations into  
25 people cheating, were there other people who you  
26 investigated besides Abdool and Chacon?

27 A. Yes, sir.

28 Q. Who? 9936

1 A. Pretty much everybody that worked at the  
2 ranch.

3 Q. All right. And did you find some people  
4 cheating?

5 A. Yes, sir.

6 Q. And was that part of your job, to try to  
7 make sure the ship was being run properly?

8 A. Yes, sir.

9 Q. All right. Did you determine if anybody  
10 else had stolen from the ranch?

11 A. Determined by -- I mean, we found out later  
12 on that there were things that were taken that were  
13 Mr. Jackson's personal effects.

14 Q. Okay. Before we get to that, in that  
15 initial investigation when you were looking to see  
16 if people had stolen --

17 A. Oh, yes, now I recall. We had people that  
18 stold stereos out of golf carts, things like that.  
19 We came across that and different things, and we did  
20 find that there were other things that were stolen.

21 Q. Now, were most of the people that worked at  
22 the ranch honest, hard-working people?

23 A. Most of them were, yes.

24 Q. So you found some that weren't?

25 A. Yes, sir.

26 Q. Now, with regard to Miss McManus and Mr.  
27 Chacon, did you later develop evidence that they had

28 stolen from the ranch? 9937

1 A. Yes, sir.

2 MR. SNEDDON: I'm going to object. Lack of  
3 personal knowledge and foundation and vague as to  
4 what time.

5 THE COURT: Foundation. Sustained.

6 Q. BY MR. SANGER: Okay. After Mr. Chacon and  
7 Ms. McManus left the ranch, did you determine  
8 whether or not they had stolen from the ranch?

9 A. Yes, sir.

10 MR. SNEDDON: Same objection, Your Honor.

11 Lack of foundation; personal knowledge.

12 THE COURT: Sustained.

13 Q. BY MR. SANGER: Were you present every day  
14 of the trial where you were being sued by these  
15 people?

16 A. All six months, yes.

17 Q. And did you see witnesses come and swear  
18 under oath that these people had stolen from the  
19 ranch?

20 MR. SNEDDON: Your Honor, I'm going to  
21 object. That's a highly improper question, and it's  
22 hearsay.

23 THE COURT: Sustained.

24 Q. BY MR. SANGER: At the time Mr. Sneddon  
25 asked you about something that was said in the  
26 deposition, do you remember when that deposition was  
27 taken?

28 A. Not exactly, no. 9938

1 Q. But it was sometime well before the trial;

2 is that correct?

3 A. Yes, sir.

4 Q. Was there other investigation done between

5 the time of your deposition and the trial?

6 A. Yes, sir.

7 Q. Was it done by people other than you --

8 A. Yes, sir.

9 Q. -- that were licensed private investigators?

10 A. Yes, sir.

11 Q. Or at least one?

12 A. Yes.

13 Q. So at the time of your deposition, you

14 didn't have any personal knowledge of these people

15 stealing from the ranch; is that correct?

16 A. Correct.

17 Q. And from your point of view at the time of

18 that deposition, that was your personal frame of

19 mind; is that correct?

20 A. That's correct.

21 Q. And that changed?

22 A. Yes, sir.

23 MR. SNEDDON: Objection, Your Honor. That

24 calls for hearsay and conclusion; no personal

25 knowledge.

26 THE COURT: Overruled. The answer was, "Yes,

27 sir."

28 MR. SANGER: All right. 9939

1 Okay. I have no further questions.

2 MR. SNEDDON: No questions.

3 THE COURT: All right. Thank you. You may  
4 step down.

5 THE WITNESS: Thank you.

6 THE COURT: Call your next witness.

7 MR. SANGER: Your Honor, it would be our  
8 intention to play the tapes in the 5000 series. I  
9 forgot the exact number, but I'll get it here in  
10 just a moment.

11 MR. ZONEN: I didn't hear counsel. I'm  
12 sorry.

13 MR. SANGER: Oh, is that on?

14 THE COURT: He's going to play the outtake  
15 tape.

16 MR. ZONEN: Was the Court anticipating that  
17 there would be some discussion as to what outtake  
18 tape would be played?

19 THE COURT: It's easy for you to say.

20 MR. ZONEN: At one time.

21 THE COURT: No, I wasn't.

22 MR. ZONEN: We would object to it being  
23 played in its entirety, as the content is not  
24 entirely relevant to the proceeding. And I think  
25 there should be some hearing on it, because I  
26 believe we're talking about hours of tapes.

27 THE COURT: Two hours.

28 MR. SANGER: We had a discussion with Mr. 9940

1 Sneddon. I thought it was resolved. I may be

2 wrong, but --

3 THE COURT: Two hours and -- they can't hear  
4 you in the back. Two hours and how long? Tell us.

5 MR. SANGER: I think it's two hours and 45  
6 minutes, but I'm not positive as I stand here. I  
7 can look at my notes.

8 MR. ZONEN: I would like to be heard as to  
9 the content --

10 THE COURT: All right. I --

11 MR. ZONEN: -- at this time.

12 THE COURT: I'll excuse the jury for a couple  
13 minutes. We'll call you back in quickly.

14

15 (The following proceedings were held in  
16 open court outside the presence and hearing of the  
17 jury:)

18

19 THE COURT: All right. Counsel, do you want  
20 to be heard?

21 MR. ZONEN: To begin with, of course, the  
22 film "Living with Michael Jackson" was introduced  
23 for nonhearsay purposes, with the exception of small  
24 segments that dealt with actual admissions by the  
25 defendant to the extent that he sleeps with children  
26 and his relationship with the Arvizo children. The  
27 balance of it was for purposes of showing the

28 response, the public response, to the damage to his 9941

1 career and for purposes of explaining the reaction  
2 by Mr. Jackson and his employees to that production.  
3 There was some discussion thereafter, but  
4 never one that was briefed. We still to this day do  
5 not have a written brief from the defense asking the  
6 Court's permission to do this and explaining in  
7 writing the justification for doing it and giving  
8 clarity to the Court as to exactly which sections of  
9 the outtakes they want to show and for what  
10 purposes.

11 I viewed the outtakes on a few occasions.  
12 There are -- parts of the outtakes show films of  
13 Michael Jackson interacting with children on  
14 Neverland Ranch. There are films of Michael Jackson  
15 in the theater with children. There's a film of  
16 Michael Jackson showing a film. The film is on the  
17 film, a film that's a promotional film of Michael  
18 Jackson being shown to children in the theater.  
19 There's films of children walking around Neverland  
20 Ranch. None of these, I believe, are relevant to  
21 any issue that's properly before the Court.  
22 There are, of course, clips of Debbie Rowe.  
23 There are clips of Mr. Jackson's father. There's a  
24 dialogue that deals with the question of whether or  
25 not Mr. Jackson's father was at any time abusive to  
26 the defendant. We don't believe that any of those  
27 interviews deal with issues that are properly before

28 the Court at this time. 9942

1 We believe that to the extent there's been  
2 any discussion as to what would be relevant, we  
3 think what would be relevant would be any film that  
4 corrects the presentation that may have been  
5 misleading in Mr. Bashir's interview. In other  
6 words, if there are outtakes that show the dialogue  
7 was taken out of context and that in fact the  
8 outtakes, the Hamid outtakes, would place that  
9 dialogue in an entirely different light and would  
10 correct it, then we believe that certainly would be  
11 appropriate to show to this jury.

12 We don't believe that there's been any  
13 presentation by the defense to that extent. We  
14 don't believe that they have come forward and said  
15 that anything so far that appears in the Hamid  
16 Moslehi outtakes would in fact clarify any  
17 statements made by the defendant. And nor has there  
18 been anything in writing or any argument that any  
19 other aspect of the outtakes, the Moslehi outtakes,  
20 would actually clarify any aspect of the "Living  
21 with Michael Jackson" documentary.

22 So our objection would be, first of all,  
23 that it be limited only to areas that specifically  
24 clarify what is believed to be misleading  
25 information in the Martin Bashir documentary, and  
26 that that be brought to the Court's attention in  
27 advance so that we know exactly which parts are

28 being shown and that we have an opportunity to 9943

1 review it in advance of it being shown as well.

2 As to the other part, the pictures of  
3 children running around, it's collateral. It's  
4 immaterial. It's irrelevant to any issue that's  
5 currently before the Court.

6 To the extent that there are statements by  
7 the defendant in there, again we believe that  
8 statements by the defendant would constitute  
9 hearsay, it being introduced for the truth of the  
10 matter stated, except to the extent that those  
11 statements are part of the interviews that were  
12 presented in the Martin Bashir and for which they  
13 clarify the actual statements that were made by the  
14 defendant. Any other statements that are unrelated  
15 to what was shown on Martin Bashir we believe would  
16 be hearsay by the defendant.

17 Submit it.

18 MR. SANGER: I think Mr. Zonen is wrong.

19 And I usually don't say that about a legal argument,  
20 a legal argument Mr. Zonen's making, but I think  
21 he's just wrong here factually.

22 We're talking about the outtakes, the Hamid  
23 Moslehi outtakes. We're not talking about the Maury  
24 Povich show. The Maury Povich included Debbie Rowe  
25 material. The outtakes do not. Unless there's --

26 THE COURT: I agree with you. I've watched  
27 the outtakes.

28 MR. SANGER: All right. And there was also 9944

1 some other references to content that I think are in  
2 the Maury Povich production as opposed to this  
3 thing. So that's number one.

4 Number two, procedurally, I think the Court  
5 recalls I raised this with Mr. Sneddon in chambers,  
6 and then we came out, and there was a point where I  
7 was at the bench with Mr. Auchincloss, and Your  
8 Honor indicated that we could play it.

9 I was prepared to submit a brief. I mean,  
10 we actually started doing something on that, and  
11 then when Your Honor said we could play it today, I  
12 instructed my associate lawyer, Mr. Dunkle, to stop  
13 working on that and to do something else. So we  
14 could have briefed it. However, we did brief this  
15 early on in the case and we filed a brief. I just  
16 don't have it with me, because I didn't anticipate  
17 this argument.

18 THE COURT: No, it had been briefed early on.

19 MR. SANGER: Yes.

20 THE COURT: And I had ruled that it wasn't  
21 admissible in the People's case.

22 MR. SANGER: Right. I'm sorry.

23 THE COURT: The problem with the outtakes is  
24 that it's so long, because it includes a lot of  
25 material that's not outtakes. I mean, I guess  
26 however you define "outtakes." But it includes a  
27 lot of material that was in the original picture,

28 because he's taking original video. He's taking 9945

1 that as the other person is taking it.

2 But I am going to allow the playing of the  
3 entire tape, except I may have forgotten -- it's  
4 some time since I watched it. If some material,  
5 such as the district attorney's alluded to, is on  
6 this tape that I don't recall, then you can object  
7 during the tape and I'll put the "Black Screen" up  
8 and we'll deal with it.

9 I think what it is, though, is just a lot of  
10 what we've already seen, plus a little additional  
11 material. And it's -- it's all sort of tied in  
12 together.

13 MR. SANGER: And just to -- because the  
14 jury's not here, so I can say it in advance in case  
15 it comes up that there's a contemporaneous  
16 objection, we're submitting this not only as the  
17 context under the Evidence Code for the statements  
18 that had been offered as admissions, and those  
19 statements, while brief, there were a couple, three  
20 pages of statements, they're rather comprehensive  
21 about Mr. Jackson's attitude and everything else.  
22 So the entire film puts that in context.

23 In addition to that, the Hamid outtakes are  
24 important because the People introduced Bashir to  
25 start with, besides for the truth of the matter of  
26 some statements, they introduced it to show the  
27 state of mind of everybody.

28 Well, the outtakes, as we already have 9946

1 evidence, were made known and were provided to Maury  
2 Povich before the 20th, so the state of mind of  
3 everybody was we had some pretty powerful material.

4 THE COURT: I'm letting that in.

5 MR. SANGER: Yes.

6 THE COURT: What I would keep out is -- I  
7 have the same recollection you do. I think that the  
8 material that he was referring to is on a different  
9 tape; it doesn't involve this one. But --

10 MR. SANGER: That's correct.

11 THE COURT: -- I'm just telling him it has  
12 nothing to do with Mr. Jackson's statements. That's  
13 not what I included. It has to do with scenes with  
14 children and that sort of thing, an interview with  
15 the father, things he's alluded to, the interview  
16 with the ex-wife, that thing. I don't think that's  
17 on this, but if it is, alert me and I'll stop. But  
18 the rest of it, it's going to come in under the  
19 authorities that you had previously cited just now.

20 MR. SANGER: Thank you, Your Honor.

21 THE COURT: Let's have the jury come back.

22 We'll get 15 minutes in before our break.

23 MR. ZONEN: Your Honor, will there be an  
24 instruction to the jury with regards to the  
25 statements of the defendant not being admitted for  
26 the truth of the matter stated, except to the extent  
27 that they are inconsistent with statements that

28 perhaps came in for the truth of the matter stated 9947

1 in the Povich film -- or, excuse me, the Bashir  
2 film?

3 MR. SANGER: That wouldn't be the law. The  
4 entire statement can come in if part of it is  
5 admitted.

6 THE COURT: Yeah, I'm not going to give them  
7 any further warning at this time.

8 MR. SANGER: Before you call -- I just want  
9 to make sure this works.

10 Your Honor, before you call them in - for  
11 some reason our side seems to be jinxed - can I just  
12 make sure it works?

13 THE COURT: Yes. That would be a good thing  
14 to do.

15 MR. SANGER: I'm going to push all the  
16 buttons here, and I don't want to do anything with  
17 that one.

18 THE BAILIFF: Are you doing it on the DVD?

19 MR. SANGER: Yes, I certainly hope so.

20 THE BAILIFF: Could you try "Input 4,"  
21 Judge?

22 MR. SANGER: And that just reminds me what I  
23 was going to do.

24 THE BAILIFF: Bring the jury in?

25 THE COURT: He wants to say something. Just  
26 a moment.

27 MR. SANGER: This is in the reverse order.

28 So what I propose to do there, they're numbered as 9948

1 5009-A, B and C, which corresponds to the order the  
2 sheriff marked them, as 10, 11 and 12. But I  
3 believe that 11 and 12 come before 10  
4 chronologically, so I'd just like to play it in that  
5 order, if I could. So it would be B, C and then A.  
6 THE COURT: You can play it in whatever order  
7 you want to.

8 All right. Bring in the jury.

9 MR. SANGER: Could we approach just to be  
10 clear on something? Or Mr. Auchincloss come up,  
11 too?

12 MR. AUCHINCLOSS: Yeah.

13 MR. ZONEN: Me too?

14 (Discussion held off the record at sidebar.)

15

16 (The following proceedings were held in  
17 open court in the presence and hearing of the  
18 jury:)

19

20 THE COURT: (To the jury) Mr. Sanger is  
21 going to tell you what the tape is that you are  
22 about to watch.

23 MR. SANGER: Thank you, Your Honor.

24 First of all, the exhibit is No. 5009-A, B  
25 and C, and we intend to play it in the order of B,  
26 C, A. These are videos that were seized by the  
27 sheriff's department. Mr. Moslehi has testified

28 that he had taken videos while Mr. Bashir was 9949

1 interviewing Mr. Jackson. And these -- it was  
2 agreed that we would not have to call him back to  
3 authenticate these documents, or these videos.

4 THE COURT: All right. That's fine. You may  
5 start.

6 MR. SANGER: Thank you.

7 I'll put in 5009-B.

8 (Whereupon, a portion of a DVD, Defendant's  
9 Exhibit 5009-B, was played for the Court and jury.)

10 THE COURT: Why don't we stop.

11 MR. SANGER: Your Honor, I stopped it at  
12 7:20, in case it gets lost.

13 MR. SANGER: Okay.

14 (Recess taken.)

15 THE COURT: All right. Go ahead.

16 MR. SANGER: We'll resume with 5009-B, if we  
17 may.

18 (Whereupon, a portion of a DVD, Defendant's  
19 Exhibit 5009-B, was played for the Court and jury.)

20 MR. SANGER: That's the end of that disk.

21 And we'll put the next one in, with the Court's  
22 permission.

23 THE COURT: Go right ahead.

24 MR. SANGER: For the record, this is 5009-C.

25 (Whereupon, a DVD, Defendant's Exhibit  
26 5009-C, was played for the Court and jury.)

27 THE COURT: We'll go ahead and take the

28 recess now while you set up the next tape. 9950

1 (Recess taken.)

2 MR. SANGER: Yes, Your Honor. The clerk  
3 reminded me that we had not formally moved 5009-A, B  
4 and C into evidence. I think it was implicit in the  
5 Court's ruling, but I want to officially do it on  
6 the record, if you may

7 THE COURT: You may.

8 MR. SANGER: Thank you.

9 And we now have 5009-A which I will start,  
10 and it's Sheriff's 913-C.

11 (Whereupon, a portion of a DVD, Defendant's  
12 Exhibit 5009-A, was played for the Court and jury.)

13 MR. SANGER: Your Honor, I think there's  
14 about four minutes left, but I could be wrong.

15 THE COURT: There's no time left.

16 MR. SANGER: There's no time left. That's  
17 fine.

18 THE COURT: See you tomorrow at 8:30.

19 A JUROR: Thank you.

20 (The proceedings adjourned at 2:30 p.m.)

21 --o0o--

22

23

24

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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 9886 through 9951

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 May 11, 2005, and thereafter

20 reduced to typewriting by computer-aided

21 transcription under my direction.

22 DATED: Santa Maria, California,

23 May 11, 2005.

24

25

26

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



