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10

(THE FOLLOWING PROCEEDINGS WERE HELD

11

IN OPEN COURT, OUTSIDE THE PRESENCE

12

OF THE JURY:)

13

14

THE COURT: JACKSON VERSUS A.E.G. LIVE, BC445597.

15

GOOD AFTERNOON, EVERYBODY.

16

OKAY. THE ONLY NEW THING I HAVE FOR YOU IS

17

A NOTE FROM JUROR NUMBER 2. AND THE NOTE SAYS "TO

18

JUDGE. I AM JUROR NUMBER 2. I WOULD LIKE AN EXCUSE ON

19

SEPTEMBER 24TH A FEW HOURS IN THE MORNING. I HAVE AN

20

APPOINTMENT AT 8:00 A.M. FOR ONE HOUR. I WILL FINISH

21

AND TRAVEL BACK TO COURT APPROXIMATELY 10:00. THANK

22

YOU."

23

I THINK THAT'S FINE.

24

MR. PUTNAM: FINE. THAT'S WHEN WE WERE GOING TO

25

START ANYWAY, YOUR HONOR. IF WE'RE DELAYED BY 15

26

MINUTES, THAT'S FINE.

27

MR. PANISH: THAT WILL BE FINE.

28

DOES THE COURT KNOW WHAT TIME WE WOULD BE

1 STARTING TOMORROW?

2 THE COURT: I HAVE TO CHECK MY CALENDAR.

3 MR. PANISH: AND THEN ALSO, JUST TO UPDATE YOU,
4 MS. CAHAN AND I HAVE COMMUNICATED OVER LUNCH, AND WE'RE
5 CLOSE ON A STIPULATION. SHE'S CHECKING ONE THING, AND
6 SHE'S GOING TO GET BACK TO ME BY THE BREAK TIME.

7 MS. CAHAN: AND I ACTUALLY JUST GOT AN E-MAIL
8 ABOUT THAT. IT WAS REFERRED TO AS THE SANTA BARBARA
9 SHERIFF'S DEPARTMENT OFFICE, SO WE'LL DISCUSS IT.

10 WE'RE DISCUSSING ONE PIECE OF WORDING FOR
11 IT, SO WE WILL CONTINUE TO DO THAT.

12 MR. PANISH: IT'S LIKE TWO WORDS THAT WE HAVE --

13 THE COURT: THAT'S THE STIPULATION CONCERNING --

14 MR. PANISH: THE SHERIFF'S REPORTS.

15 THE COURT: -- THE MEDICAL RECORDS.

16 MR. PUTNAM: THE SANTA BARBARA'S SHERIFF'S
17 REPORT, YOUR HONOR, THE ONE THAT HAD THE JUSTICE
18 DEPARTMENT AND ALL THAT. WE'RE TRYING TO COME UP WITH
19 A STIP ABOUT WHAT IT IS.

20 THE COURT: BECAUSE THERE'S ANOTHER STIP
21 CONCERNING LIVENATION.

22 MS. BINA: THAT, I JUST SIGNED. MR. GLASSMAN AND
23 I HAVE AGREED ON THAT.

24 THE COURT: THAT'S GOOD. I CAN CHECK THAT ONE
25 OFF MY LIST.

26 MR. PANISH: SO WE'RE MAKING GOOD PROGRESS.

27 THE COURT: YES, YOU ARE.

28 MR. PANISH: SO WE STILL HOPE TO BE ON SCHEDULE

1 LIKE WE DISCUSSED THIS MORNING, AND I THINK NOW
2 DEFENDANT WAS GOING TO CONTINUE WITH THE PLAYING OF
3 DR. METZGER'S VIDEO.

4 MR. BOYLE: AND I THINK, YOUR HONOR, MR. GLASSMAN
5 DID A BRIEF ON THAT NEW INSTRUCTION THAT SHOULD BE
6 BEING FILED AND SERVED RIGHT NOW.

7 THE COURT: OKAY. VERY GOOD.

8 AND THEN, ALSO, MY STAFF IS ATTEMPTING TO
9 GET FROM THE JURY WHAT THEIR OCTOBER CALENDAR LOOKS
10 LIKE. I HAVE THINK YOU SUGGESTED WE DO THAT. THEY
11 WANT TO GO HOME AND CHECK THEIR PERSONAL CALENDAR, TOO;
12 SO THEY'RE GOING TO LET US KNOW TOMORROW WHAT THEIR
13 CALENDARS WILL LOOK LIKE FOR OCTOBER. SO WE'RE WORKING
14 ON THAT. AND --

15 MR. BOYLE: YOUR HONOR, DO THEY KNOW THAT THEY'LL
16 BE DELIBERATING -- COULD BE DELIBERATING IN OCTOBER AS
17 OPPOSED TO STILL HEARING EVIDENCE?

18 THE COURT: I THINK THEY KNOW THAT. I THINK THEY
19 DO KNOW THAT. AT LEAST I HOPE SO. I THINK THEY DO.

20 MR. PANISH: WELL, YOU'LL BE ABLE TO TELL THEM BY
21 TOMORROW ANYWAY.

22 THE COURT: YES, I'LL TELL THEM.

23 MR. PANISH: YOU'LL GIVE THEM A SCHEDULE.

24 THE COURT: LET ME SEE ABOUT TOMORROW, WHERE WE
25 ARE IN TERMS OF MY CALENDAR.

26 YOU KNOW WHAT? WHY DON'T WE PLAN ON 10:00
27 TOMORROW.

28 MR. PANISH: OKAY. GOOD.

1 MR. PUTNAM: TOTALLY FINE.

2 THE COURT: OKAY. SO YOU HAVE YOUR VIDEO READY
3 TO ROLL?

4 MR. PUTNAM: WE DO.

5 THE COURT: ABOUT AN HOUR --

6 MS. CAHAN: ABOUT AN HOUR AND 15 MINUTES.

7 THE COURT: AND IT'S METZGER, RIGHT?

8 MS. CAHAN: YES.

9 THE COURT: OKAY. LET'S CALL THE JURY IN.

10

11 (THE FOLLOWING PROCEEDINGS WERE HELD
12 IN OPEN COURT, IN THE PRESENCE OF THE
13 JURORS:)

14

15 THE COURT: KATHERINE JACKSON VERSUS A.E.G. LIVE,
16 BC445597. GOOD AFTERNOON, EVERYBODY. WELCOME BACK.

17 COUNSEL, MAKE YOUR APPEARANCES.

18 MR. PANISH: YES. WELCOME BACKS AND GOOD
19 AFTERNOON. BRIAN PANISH FOR THE PLAINTIFFS.

20 MR. BOYLE: GOOD AFTERNOON. KEVIN BOYLE FOR THE
21 PLAINTIFFS.

22 MS. CAHAN: KATHRYN CAHAN FOR DEFENDANTS. GOOD
23 AFTERNOON.

24 MS. BINA: GOOD AFTERNOON. JESSICA STEBBINS BINA
25 FOR THE DEFENDANTS.

26 MR. PUTNAM: AND MARVIN PUTNAM FOR THE
27 DEFENDANTS. GOOD AFTERNOON.

28 THE COURT: REALLY GOOD NEWS. WE ARE IN THE

1 NINTH INNING. WE -- THE EVIDENCE WILL CLOSE PROBABLY
2 WEDNESDAY MORNING?

3 MR. PANISH: THURSDAY, YOU MEAN.

4 THE COURT: TOMORROW MORNING.

5 MR. BOYLE: EITHER TOMORROW OR, AT THE LATEST,
6 FRIDAY MORNING.

7 THE COURT: OKAY. AT THE LATEST, FRIDAY MORNING.
8 THAT'S PRETTY SOON. OKAY? THAT'S NOT INCLUDING THE
9 CLOSING ARGUMENTS, BUT THE CLOSE OF EVIDENCE. THAT
10 MEANS NO MORE EVIDENCE. IT WILL JUST BE ARGUMENT AFTER
11 THAT. AND THEN, OF COURSE, DELIBERATION. BUT I JUST
12 WANTED TO LET YOU KNOW THE EVIDENCE WILL CLOSE SOON.

13 THE OTHER THING -- WELL, JUROR NUMBER 1,
14 THANK YOU FOR COMING BACK; AND WE'RE GLAD TO HAVE YOU
15 BACK.

16 JUROR NUMBER 1: THANK YOU.

17 THE COURT: AND THEN JUROR NUMBER 2, WE READ YOUR
18 NOTE. 10:00 O'CLOCK IS FINE, WE CAN START AT
19 10:00 O'CLOCK ON THE 24TH.

20 AND MY STAFF, I THINK, HAS GIVEN YOU AN
21 OCTOBER CALENDAR. YOU'RE ALL GOING TO GO BACK AND
22 CHECK, I KNOW SOME OF YOU HAVE ISSUES FOR OCTOBER.
23 YOU'LL PROBABLY BE IN DELIBERATIONS AT THAT TIME, SO
24 YOU NEED TO CHECK YOUR OCTOBER CALENDAR. OKAY? IS
25 THAT RIGHT? ARE YOU AWARE THAT YOU'RE GOING TO HAVE TO
26 DO THAT?

27 OKAY. VERY GOOD. AND WE LEFT OFF WITH
28 DR. METZGER IN THE MIDDLE OF PLAYING HIS VIDEO

1 DEPOSITION, SO DEFENDANTS WANT TO FINISH WITH THAT.

2 MR. PUTNAM: PLEASE.

3 MS. CAHAN: THANK YOU, YOUR HONOR.

4 THE COURT: YOU MAY.

5

6 (EXCERPTS OF THE VIDEOTAPED
7 DEPOSITION OF ALLAN METZGER WERE
8 PLAYED.)

9

10 MS. CAHAN: THAT CONCLUDES THE VIDEO DEPOSITION
11 OF DR. METZGER. THE EXHIBIT -- TRIAL EXHIBIT THAT WAS
12 SHOWN WAS EXHIBIT 9823, WHICH HAS ALREADY BEEN MOVED
13 INTO EVIDENCE BY AGREEMENT OF THE PARTIES. AND THERE
14 WERE NO CORRECTIONS TO THE TESTIMONY THAT'S BEEN SHOWN.

15 THE COURT: THANK YOU.

16 WHY DON'T WE TAKE A BREAK AND THEN
17 CONTINUE. COME BACK AT 3:30. OKAY? SEE YOU AT 3:30.

18

19 (THE FOLLOWING PROCEEDINGS WERE HELD
20 IN OPEN COURT, OUTSIDE THE PRESENCE
21 OF THE JURORS:)

22

23 THE COURT: OKAY. FROM METZGER, WHO DO WE HAVE?

24 MR. PUTNAM: I'M RESTING.

25 MS. BINA: YOUR HONOR, BEFORE WE START THE
26 PLAINTIFFS' CASE, I WANT TO PUT ON THE RECORD BRIEFLY
27 SOMETHING THAT I SAID IN OUR CALL YESTERDAY REGARDING
28 OUR CONCERN ABOUT THE SCOPE OF THE TYPE OF TESTIMONY,

1 AND I THINK IT WILL BE VERY QUICK.

2 MR. PANISH: WHY DON'T YOU DO IT NOW.

3 MS. BINA: OUR UNDERSTANDING IS THAT THE
4 PRINCIPAL PURPOSE FOR BEING BROUGHT BACK AS A REBUTTAL
5 WITNESS IS TO ADDRESS TESTIMONY OF KATHY JORRIE.

6 OBVIOUSLY, WE DON'T KNOW WHAT HE'S GOING TO
7 SAY ABOUT THAT; BUT OUR CONCERN YESTERDAY WAS IF HE
8 GOES BEYOND THAT INTO TERRITORY COVERED BY DETECTIVE
9 MARTINEZ, PARTICULARLY REGARDING FINANCIAL MOTIVE,
10 REGARDING THE MURRAY INVESTIGATION, IT REALLY WOULD BE
11 CUMULATIVE, I DON'T BELIEVE IT'S PROPER REBUTTAL.

12 I'LL OBJECT AT THE TIME, BUT DON'T WANT TO
13 HAVE A SPEAKING OBJECTION IN FRONT OF THE JURY, SO
14 PROBABLY SOMETHING LIKE, "OBJECTION, IMPROPER
15 REBUTTAL." AND I WANTED TO LAY THAT OUT NOW IN ADVANCE
16 SO YOU WOULD HAVE SOME IDEA OF WHY I DID THAT.

17 MR. PANISH: I'VE GOT TO LAY SOME FOUNDATION OF
18 WHAT HE DID, BUT I UNDERSTAND WHAT REBUTTAL IS AND WHAT
19 I'M ALLOWED TO DO.

20 THE COURT: OKAY.

21 MR. PANISH: AND THAT WILL BE IT FOR TODAY. I
22 THINK THAT WAS YOUR QUESTION.

23 MR. PUTNAM: WHEN WE COME BACK, I'LL REST --

24 MR. PANISH: IF -- HE'S HEAR, WE'LL GET HIM ON --

25 THE COURT: HOLD ON, MR. PANISH. I CAN'T HEAR
26 MR. PUTNAM.

27 MR. PANISH: OH, I'M SORRY.

28 MR. PUTNAM: WHAT I WAS GOING TO DO, YOUR HONOR,

1 IS I WILL REST SUBJECT TO A COUPLE OF EVIDENTIARY
2 ISSUES, STATING THAT THE COURT IS AWARE OF WHAT WE
3 ALREADY DISCUSSED, AND MOVE ON TO --

4 THE COURT: FOR REBUTTAL, YOU HAVE SMITH --
5 MR. PANISH: SMITH, FOR TODAY.

6 HE'S GOING TO REST SUBJECT TO EXHIBITS. IS
7 THAT THE ISSUE?

8 THE COURT: YES.

9 MR. PANISH: FAIR ENOUGH. RIGHT. SUBJECT TO
10 EXHIBITS -- I GUESS HE -- HE SAID IT BETTER. WHAT DID
11 YOU SAY?

12 MR. PUTNAM: I SAID THERE ARE CERTAIN EVIDENTIARY
13 ISSUES THAT ARE OUT UNDERSTANDING.

14 MR. PANISH: ONCE YOU SAY "SUBJECT TO," WE ALL
15 KNOW WHAT YOU MEAN. WE KNOW THERE'S THE STIPULATION
16 ISSUES, THE EXHIBIT ISSUES. ANY OTHER ISSUES
17 UNDERSTANDING? I'M JUST TRYING TO MAKE SURE.

18 OKAY. SO WE ALL KNOW WE'RE ON THE SAME
19 PAGE. FAIR ENOUGH.

20
21 (19-MINUTE RECESS TAKEN.)

22
23 THE COURT: KATHERINE JACKSON VERSUS A.E.G. LIVE,
24 BC445597.

25 PLAINTIFF -- I MEAN DEFENSE?

26 MR. PUTNAM: YES, YOUR HONOR.

27 YOUR HONOR, SUBJECT TO THE RESOLUTION OF
28 CERTAIN OUTSTANDING EVIDENTIARY ISSUES, A.E.G. LIVE

1 HEREBY RESTS ITS CASE AND ITS DEFENSE OF THIS MATTER.

2 THE COURT: THANK YOU.

3 PLAINTIFF, DO YOU HAVE REBUTTAL?

4 MR. PANISH: YES, YOUR HONOR. WE CALL DETECTIVE
5 SCOTT SMITH AT THIS TIME.

6 THE COURT: THANK YOU.

7 DETECTIVE SMITH?

8

9 SCOTT SMITH,

10 CALLED BY THE PLAINTIFFS AS A WITNESS, WAS SWORN AND
11 TESTIFIED AS FOLLOWS:

12

13 THE CLERK: SIR, PLEASE RAISE YOUR RIGHT HAND AND
14 BE SWORN.

15 DO YOU SOLEMNLY STATE THAT THE TESTIMONY
16 YOU MAY GIVE IN THE CAUSE NOW PENDING BEFORE THIS COURT
17 SHALL BE THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT
18 THE TRUTH, SO HELP YOU GOD?

19 THE WITNESS: YES.

20 THE CLERK: PLEASE TAKE THE STAND, SIR.

21 SIR, PLEASE STATE AND SPELL YOUR NAME FOR
22 THE RECORD.

23 THE WITNESS: SCOTT SMITH; S-C-O-T-T, S-M-I-T-H.

24 THE CLERK: THANK YOU.

25 THE COURT: THANK YOU.

26 YOU MAY BEGIN.

27 MR. PANISH: YOUR HONOR, JUST ONE THING FOR THE
28 RECORD. THERE IS A MOTION THAT I INTEND TO BRING. I'M

1 NOT WAIVING IT, I'LL JUST BRING IT UP AFTER THE
2 DETECTIVE IS FINISHED.

3 THE COURT: YES. OKAY.

4 MR. PANISH: THANK YOU.

5
6 DIRECT EXAMINATION

7 BY MR. PANISH:

8 Q AND GOOD AFTERNOON, SIR.

9 A GOOD AFTERNOON.

10 Q AND ARE YOU HERE PURSUANT TO SUBPOENA AS AN
11 INDEPENDENT WITNESS?

12 A YES, I AM.

13 Q AND BY WHOM ARE YOU EMPLOYED, SIR?

14 A LOS ANGELES POLICE DEPARTMENT.

15 Q AND COULD YOU TELL US A LITTLE BIT ABOUT
16 YOUR BACKGROUND?

17 A I JOINED THE DEPARTMENT BACK IN MARCH OF
18 1987, HAD VARIOUS ASSIGNMENTS, PRIMARILY IN HOMICIDE.
19 CURRENTLY ASSIGNED TO ROBBERY HOMICIDE DIVISION,
20 ROBBERY SPECIAL SECTION.

21 Q DID YOU HAVE ACADEMY TRAINING?

22 A YES.

23 Q AND AS PART OF YOUR ACADEMY TRAINING, DOES
24 THAT INCLUDE INVESTIGATION OF CRIME SCENES -- POTENTIAL
25 CRIME SCENES?

26 A YES.

27 Q INTERVIEWING OF WITNESSES?

28 A YES.

1 Q OKAY. NOW, YOU SAID YOU'RE IN THE ROBBERY
2 HOMICIDE DIVISION.

3 HOW LONG HAVE YOU BEEN IN THAT DIVISION?

4 A APPROXIMATELY THREE YEARS.

5 Q AND WHAT DO YOU DO IN THAT DIVISION?

6 A BEING ASSIGNED TO ROBBERY SPECIALS,
7 INVESTIGATE BANK ROBBERIES, HIGH-PROFILE CASES
8 INVOLVING ROBBERIES, KIDNAPS, EXTORTIONS.

9 Q DO YOU KNOW DETECTIVE ORLANDO MARTINEZ?

10 A YES, I DO.

11 Q DOES HE WORK IN THAT DIVISION WITH YOU?

12 A HE DOES WORK THAT DIVISION, HE'S WORKING
13 HOMICIDE, YES, SIR.

14 Q AND ABOUT HOW MANY HOMICIDE INVESTIGATIONS
15 WOULD YOU SAY THAT YOU'VE WORKED ON IN YOUR CAREER?

16 A IN MY CAREER?

17 PROBABLY EXCEEDING A COUPLE HUNDRED.

18 Q NOW, JANUARY -- ON JUNE 25, 2009, WERE YOU
19 WORKING THAT DAY IN THE ROBBERY HOMICIDE DIVISION?

20 A YES, I WAS.

21 Q AT SOME POINT IN TIME DID YOU LEARN OF A
22 POTENTIAL PURPORTED DEATH OF MICHAEL JACKSON?

23 A YES.

24 Q HOW DID YOU BECOME AWARE OF THAT?

25 A MY SUPERVISOR, GREG STRENGTH, NOTIFIED ME
26 AND INFORMED ME THAT SOMETHING HAD HAPPENED TO
27 MR. JACKSON AND TO RESPOND TO U.C.L.A. MEDICAL CENTER.

28 Q OKAY. ABOUT WHAT TIME WERE YOU NOTIFIED,

1 APPROXIMATELY?

2 A APPROXIMATELY 3:00 P.M.

3 Q AND WERE YOU GIVEN THE ASSIGNMENT TO BE
4 INVOLVED IN THE INVESTIGATION OF THE DEATH OF
5 MICHAEL JACKSON?

6 A YES.

7 Q OKAY. WHAT WAS THE FIRST THING THAT YOU
8 DID?

9 A THE FIRST THING THAT I DID IS GO TO
10 U.C.L.A. MEDICAL CENTER, ALONG WITH DETECTIVE MARTINEZ.

11 Q AND -- I'M SORRY. DID I CUT YOU OFF?

12 A NO. GO AHEAD, SIR.

13 Q AND ABOUT HOW LONG DID IT TAKE YOU --
14 YOU'RE IN DOWNTOWN; IS THAT RIGHT?

15 A I WAS AT THE ACADEMY, YES, SIR.

16 Q SO ELYSIAN PARK BY DODGER STADIUM?

17 A YES, SIR.

18 Q AND ABOUT HOW LONG DID IT TAKE YOU TO GO
19 FROM ELYSIAN PARK, THE POLICE ACADEMY, TO THE U.C.L.A.
20 MEDICAL CENTER?

21 MS. BINA: OBJECTION; RELEVANCE, IMPROPER
22 REBUTTAL, CUMULATIVE.

23 THE COURT: OVERRULED.

24 THE WITNESS: APPROXIMATELY AN HOUR, GIVE OR
25 TAKE.

26 Q BY MR. PANISH: AND HOW LONG DID YOU STAY
27 AT U.C.L.A.?

28 A I BELIEVE, WITHOUT LOOKING AT ANY OF MY

1 NOTES, APPROXIMATELY A COUPLE OF HOURS.

2 Q OKAY. I NOTE THAT I BROUGHT TWO -- WHAT DO
3 YOU CALL THOSE THINGS WITH YOU?

4 A BINDERS, BOOKS.

5 Q OKAY. I'M NOT GOING TO GET INTO ALL OF
6 THAT, BUT IS THAT THE WORK PRODUCT OF THE WORK THAT YOU
7 DID IN THIS INVESTIGATION?

8 A THAT'S A MINUTE PART OF IT, YES, SIR.

9 Q OKAY. AND AS PART OF YOUR INVESTIGATION,
10 AT U.C.L.A., DID YOU DO ANYTHING THERE?

11 A YES, SIR.

12 Q JUST GENERALLY, WHAT DID YOU DO?

13 A MET WITH MR. JACKSON'S SECURITY TEAM, MET
14 WITH WEST L.A. DETECTIVES THAT HAD RESPONDED.

15 Q OKAY. WHEN YOU SAY "WEST," IS THE
16 LOS ANGELES POLICE DEPARTMENT DIVIDED UP INTO VARIOUS
17 DIVISIONS, AND THE DIVISION THAT WOULD BE RESPONSIBLE
18 FOR THE AREA WHERE MR. JACKSON WAS LIVING -- WOULD THAT
19 BE CALLED THE WEST DIVISION?

20 A WEST LOS ANGELES, YES, SIR.

21 Q SO AFTER YOU WERE AT U.C.L.A. AND YOU DID
22 SOME WORK, DID YOU GO SOMEWHERE AFTER THAT?

23 A YES.

24 Q WHERE DID YOU GO?

25 A DID A FOLLOWUP TO MR. JACKSON'S RESIDENCE,
26 100 NORTH CAROLWOOD.

27 Q OKAY. AND HOW LONG DID YOU STAY THERE,
28 APPROXIMATELY?

1 A APPROXIMATELY SIX TO EIGHT HOURS.

2 Q EVENTUALLY WERE YOU ABLE TO CONFIRM THAT
3 MR. JACKSON HAD PASSED AWAY?

4 A YES.

5 Q NOW, AT THAT POINT IN TIME, WHEN YOU WENT
6 TO CAROLWOOD, WAS THIS A HOMICIDE OR A DEATH
7 INVESTIGATION?

8 A IT WAS A DEATH INVESTIGATION.

9 Q WHAT'S THE DIFFERENCE?

10 MS. BINA: OBJECTION; CUMULATIVE.

11 MR. PANISH: IT'S FOUNDATION.

12 THE COURT: OVERRULED.

13 THE WITNESS: A DEATH INVESTIGATION IS THE
14 INVESTIGATION OF SOMEONE WHO IS DECEASED, THERE'S NO
15 OBVIOUS SIGNS OF TRAUMA, NO GUNSHOT WOUNDS, NO STAB
16 WOUNDS, NO OBVIOUS REASON WHY THIS PERSON WOULD BE
17 DECEASED.

18 A HOMICIDE WOULD BE JUST THE OPPOSITE;
19 MULTIPLE GUNSHOT WOUNDS, STAB WOUNDS, OBVIOUS SIGNS OF
20 TRAUMA.

21 Q BY MR. PANISH: WHEN YOU FIRST WENT TO
22 CAROLWOOD AFTER U.C.L.A., WAS IT A DEATH OR A HOMICIDE
23 INVESTIGATION?

24 A DEATH.

25 Q AT SOME POINT IN TIME, DID THAT CHANGE?

26 A YES, IT DID.

27 Q WHY DID IT CHANGE, IF YOU KNOW?

28 A THE DOCTOR AT THE LOS ANGELES COUNTY

1 CORONER'S OFFICE, DR. LAKSHMANAN, RULED IT A HOMICIDE
2 APPROXIMATELY TWO MONTHS LATER.

3 Q AFTER THAT OCCURRED, DID YOU AND DETECTIVE
4 MARTINEZ BEGIN ISSUING SUBPOENAS AND DOING
5 INVESTIGATIVE WORK?

6 A YES, WE DID.

7 Q AT SOME POINT IN TIME, YOU WERE SERVING
8 SUBPOENAS.

9 WHAT WAS THE PURPOSE OF THAT?

10 A WE WERE SERVING SUBPOENAS TO PRIMARILY FIND
11 OUT MOTIVE. WE HAD JOINED WITH THE DISTRICT ATTORNEY'S
12 OFFICE AT THAT TIME IN OUR INVESTIGATION, AND THEY HAD
13 WHAT YOU WOULD CALL A LAUNDRY LIST OF WHAT THEY WANTED
14 DONE ALONG WITH THINGS THAT WE NEEDED TO FOLLOW UP ON.

15 Q OKAY. AND WERE YOU CHECKING INTO, FOR
16 EXAMPLE, DR. MURRAY'S FINANCIAL BACKGROUND AND SUCH?

17 A YES.

18 Q OKAY. AND DID OTHER DETECTIVES OTHER THAN
19 YOURSELF AND DETECTIVE MARTINEZ BEGIN TO ASSIST IN THE
20 INVESTIGATION?

21 A YES.

22 Q AND AS A RESULT OF DOING YOUR
23 INVESTIGATION, DID YOU COME ACROSS ANY INFORMATION THAT
24 LED YOU TO WANT TO INVESTIGATE ANY POTENTIAL
25 RELATIONSHIP BETWEEN A.E.G. LIVE AND A.E.G. AND
26 DR. MURRAY?

27 MS. BINA: I'M GOING TO OBJECT, YOUR HONOR,
28 AGAIN; CUMULATIVE, IMPROPER REBUTTAL.

1 THE COURT: OVERRULED.

2 THE WITNESS: YES.

3 Q BY MR. PANISH: WHAT WAS THAT?

4 A IN DR. MURRAY'S CAR, WE FOUND A CONTRACT
5 BETWEEN HIM AND A.E.G. IT ALSO LISTED THE NAME OF
6 MICHAEL JACKSON.

7 Q OKAY. AS A RESULT OF THAT, DID YOU
8 UNDERTAKE TO INTERVIEW INDIVIDUALS ASSOCIATED WITH
9 A.E.G.?

10 A YES.

11 Q AND WHY DID YOU WANT TO DO THAT?

12 A TO CONFIRM THE VALIDITY OF THE CONTRACT AND
13 ANY OTHER ADDITIONAL DETAILS THAT MAY NOT HAVE BEEN IN
14 THE CONTRACT THAT WE CAN FIND OUT.

15 Q DID THERE COME A POINT IN TIME WHERE YOU
16 INTERVIEWED AN INDIVIDUAL ASSOCIATED WITH A.E.G., A
17 LAWYER BY THE NAME OF KATHY JORRIE?

18 A YES.

19 Q AND WHY DID YOU SPECIFICALLY CHOOSE TO
20 INTERVIEW MS. JORRIE?

21 A FROM WHAT I CAN RECALL, IN PART, WE HAD
22 CONTACT WITH DR. MURRAY IN REGARDS TO THE CONTRACT AND
23 SOME REVISIONS, AND SHE MAY HAVE BEEN ALSO PARTIALLY
24 RESPONSIBLE FOR DRAFTING THAT CONTRACT.

25 Q DID YOU WANT TO GET ANY UNDERSTANDING OF
26 ANY OF THE PROVISIONS OF THE CONTRACT BY MEETING WITH
27 MS. JORRIE?

28 A YES.

1 Q AND WHEN YOU -- I ASSUME -- WAS IT A SEARCH
2 WARRANT OR SUBPOENA THAT ENTITLES YOU TO ENTER
3 DR. MURRAY'S CAR?

4 A SEARCH WARRANT.

5 Q AND A SEARCH WARRANT, YOU GO TO THE COURT
6 AND THEY GIVE YOU PERMISSION TO, IN A BASIC SENSE,
7 ENTER SOMEONE'S PROPERTY, RESIDENCE OR SUCH?

8 A YES, SIR.

9 Q AND YOU FOUND THE CONTRACT THERE?

10 A YES, SIR.

11 Q NOW, WHEN YOU FOUND THE CONTRACT, WHY WAS
12 IT IMPORTANT TO YOUR INVESTIGATION TO INVESTIGATE ANY
13 RELATIONSHIP BETWEEN A.E.G. AND DR. MURRAY?

14 A IT WAS GOING TO MOTIVE.

15 Q WHAT DO YOU MEAN WHEN YOU SAY THAT?

16 A LOOKING INTO DR. MURRAY, WHO WAS MORE THAN
17 A PERSON OF INTEREST, LET'S SAY, HE WAS A SUSPECT IN
18 THIS CASE, WE WANTED TO BE THOROUGH IN OUR BACKGROUND
19 OF DR. MURRAY. THAT WOULD INCLUDE HIS FINANCIAL
20 STATUS.

21 Q OKAY. AND DID YOU DO THAT?

22 A YES.

23 Q DID YOU -- DID YOU GET INFORMATION THAT LED
24 YOU TO CONTINUE ON WITH THAT INVESTIGATION?

25 A YES.

26 Q WHAT WAS THAT?

27 MS. BINA: OBJECTION. AGAIN, YOUR HONOR, THIS IS
28 CUMULATIVE OF DETECTIVE MARTINEZ.

1 MR. PUTNAM: EXACTLY --

2 THE COURT: OVERRULED.

3 Q BY MR. PANISH: YOU CAN TELL US.

4 A INFORMATION THAT WAS OBTAINED REVEALED THAT
5 DR. MURRAY FINANCIALLY WAS IN RUINS, WAS LOSING HIS
6 HOUSE IN LAS VEGAS, HAD A LIEN AGAINST HIS POOL THAT
7 WAS PUT IN HIS HOUSE IN LAS VEGAS, WAS IN ARREARS OF
8 CHILD SUPPORT, MULTIPLE CHILDREN BY MULTIPLE WOMEN.
9 FINANCIALLY HE WAS JUST A MESS.

10 MS. BINA: AND I WOULD OBJECT AND MOVE TO STRIKE
11 THE PART ABOUT MULTIPLE CHILDREN BY MULTIPLE WOMEN.

12 THE COURT: MOTION DENIED.

13 Q BY MR. PANISH: AND AS A RESULT OF THAT,
14 WERE THERE TERMS OF THE CONTRACT WHEN YOU REVIEWED IT
15 THAT LED YOU TO WANT TO INTERVIEW PEOPLE FROM A.E.G.
16 RELATED TO THE CONTRACT?

17 A YES.

18 Q OKAY. WHAT WAS IT THAT CAUSED YOU TO WANT
19 TO INTERVIEW THE LAWYER, MS. JORRIE?

20 A IT WOULD BE A.E.G. AT THAT TIME, I DON'T
21 BELIEVE IT WAS MS. JORRIE SPECIFICALLY. BUT THE AMOUNT
22 THAT DR. MURRAY WAS TO BE COMPENSATED MONTHLY.

23 Q WHAT WAS YOUR UNDERSTANDING, BASED ON
24 THE -- THE EXHIBIT THAT YOU SEIZED?

25 A THAT DR. MURRAY WAS TO RECEIVE \$150,000 A
26 MONTH PLUS EXPENSES.

27 Q AND AS A -- AS A HOMICIDE -- HOMICIDE
28 DETECTIVE, IS ONE OF THE THINGS THAT YOU'RE TRAINED TO

1 DO WHEN CONDUCTING AN INVESTIGATION TO LOOK TO MOTIVE
2 AND CHANNEL YOUR INVESTIGATION AND INTERVIEWING
3 WITNESSES TO DETERMINE WHETHER THERE'S ANY POTENTIAL
4 MOTIVE FOR WHAT HAD OCCURRED?

5 A YES.

6 Q AND IN THIS CASE, DID YOU COME TO SUCH A
7 DETERMINATION THAT LED YOU TO INTERVIEW A.E.G.
8 PERSONNEL?

9 MS. BINA: SAME OBJECTION, YOUR HONOR. ALSO
10 ASKED AND ANSWERED ABOUT FOUR TIMES ALREADY TODAY.

11 THE COURT: YES, IT'S BEEN ASKED AND ANSWERED.

12 MR. PANISH: OKAY.

13 Q WAS THERE -- AS YOU SAW THE CONTRACT, DID
14 YOU HAVE ANY CONCERN ABOUT DR. MURRAY'S ACTIONS THAT
15 LED YOU TO WANT TO INTERVIEW SOMEONE FROM A.E.G.?

16 MS. BINA: OBJECTION; ASKED AND ANSWERED.

17 THE COURT: SUSTAINED.

18 Q BY MR. PANISH: DO YOU KNOW WHAT A
19 HIPPOCRATIC OATH IS?

20 A I KNOW OF IT, YES, SIR.

21 Q WAS THAT PART OF YOUR INVESTIGATION?

22 A YES, SIR.

23 Q HOW?

24 A THAT HE WAS NOT TO -- AS A DOCTOR, A
25 PHYSICIAN, IS NOT TO HARM ANYONE IN ANY WAY.

26 Q DID YOU HAVE SOME CONCERNS ABOUT THAT?

27 A GRAVE CONCERNS, YES.

28 Q OKAY. AND SO DID YOU INTERVIEW MS. JORRIE

1 TO GET A BETTER UNDERSTANDING OF THE TERMS OF THE
2 A.E.G./MURRAY CONTRACT?

3 MS. BINA: OBJECTION; ASKED AND ANSWERED.

4 THE COURT: OVERRULED.

5 THE WITNESS: YES.

6 Q BY MR. PANISH: AND DURING YOUR INTERVIEW
7 OF MS. JORRIE, DID YOU TAKE NOTES?

8 A YES, I DID.

9 Q AND DID YOU TYPE UP THOSE NOTES IN A FORM
10 THAT'S USED BY THE LOS ANGELES POLICE DEPARTMENT?

11 A YES.

12 THEY WERE BOTH WRITTEN AND TYPED, AS WELL.

13 Q AND DID YOU MAINTAIN THESE DOCUMENTS IN THE
14 REGULAR COURSE OF BUSINESS FOR THE L.A.P.D.?

15 A YES.

16 Q OKAY. DO YOU HAVE DOCUMENTS THAT WOULD
17 INDICATE WHEN -- OR DO YOU KNOW WHEN THE INTERVIEW TOOK
18 PLACE?

19 A I'D HAVE TO LOOK AT THE ACTUAL DOCUMENTS.

20 Q OKAY. IF YOU DON'T MIND.

21 A SURE.

22 Q WOULD THAT REFRESH YOUR RECOLLECTION?

23 A YES, IT WILL.

24 Q OKAY. IF YOU COULD TELL US WHEN YOU DO
25 WHAT YOU'RE LOOKING AT.

26 A THIS IS -- I'D BE REFERRING TO ONE BOOK OF
27 WITNESSES THAT CAME ABOUT AS A RESULT OF OUR

28 INVESTIGATION OF MICHAEL JACKSON, AND SPECIFICALLY I'M

1 LOOKING AT THE INVESTIGATIVE ACTION STATEMENT FORM THAT
2 I TYPED, UPDATED FEBRUARY 22ND, 2011, REGARDING
3 KATHY JORRIE.

4 Q OKAY. WOULD YOU RECOGNIZE MS. JORRIE IF
5 YOU SAW HER?

6 A YES.

7 MR. PANISH: I WANT TO SHOW YOU 787.

8 MR. BOYLE: 878, DASH, 20.

9 MR. PANISH: YOU'D THINK I'D BE BETTER BY NOW.
10 878, DASH, 20.

11 Q DO YOU RECOGNIZE MS. JORRIE?

12 A YES, I DO.

13 Q IS THAT WHO YOU INTERVIEWED?

14 A YES.

15 Q WHERE DID THE INTERVIEW TAKE PLACE, AND
16 WHAT TIME?

17 A THE INTERVIEW TOOK PLACE IN HER OFFICE; AND
18 THIS WAS, AGAIN, ON FEBRUARY 22ND AT APPROXIMATELY
19 6:00 P.M. IN THE EVENING.

20 Q WAS ANYONE THERE WITH MS. JORRIE WHEN THE
21 INTERVIEW TOOK PLACE?

22 A I BELIEVE MARVIN PUTNAM WAS, YES.

23 Q WOULD YOU RECOGNIZE MR. PUTNAM IF YOU SAW
24 HIM?

25 A YES.

26 Q DO YOU SEE HIM ANYWHERE IN THE COURTROOM
27 TODAY?

28 A I DO.

1 Q WHERE IS HE? COULD YOU POINT HIM OUT?

2 A HE'S SEATED RIGHT HERE WAVING AT ME AT THE
3 END OF THE TABLE.

4 Q THE GENTLEMAN WITH THE BLUE TIE AND THE
5 NICE TAN?

6 A GLASSES, YES.

7 THE COURT: IDENTIFYING MR. PUTNAM.

8 MR. PANISH: IDENTIFYING DEFENSE COUNSEL.

9 Q NOW, SIR, DURING YOUR INTERVIEW, DID YOU --
10 DID YOU SPEAK TO BOTH -- DO YOU KNOW WHAT MR. PUTNAM
11 WAS DOING THERE, WHY HE WAS THERE?

12 MS. BINA: OBJECTION; CALLS FOR SPECULATION,
13 HEARSAY.

14 THE COURT: OVERRULED ON HEARSAY.

15 THE WITNESS: I BELIEVE THAT HE WAS THERE,
16 OBVIOUSLY, IN THE INTEREST OF A.E.G., AND TO SEE WHAT
17 WE HAD TO SAY.

18 MR. PANISH: OKAY.

19 Q DURING THE INTERVIEW, WAS MR. PUTNAM
20 PRESENT THE ENTIRE TIME?

21 A I BELIEVE SO, YES.

22 Q DID MR. PUTNAM ANSWER QUESTIONS ALONG WITH
23 MS. JORRIE?

24 A MS. JORRIE ANSWERED MOST OF THE QUESTIONS.
25 I BELIEVE MR. PUTNAM WAS SITTING IN THE BACK OFF TO THE
26 SIDE.

27 Q WERE YOU IN LIKE AN OFFICE OR A CONFERENCE
28 ROOM?

1 A I BELIEVE IT WAS A CONFERENCE ROOM, IF I'M
2 NOT MISTAKEN.

3 Q OKAY. NOW, WAS IT YOUR JOB THERE TO GET
4 THE FACTS, SO TO SPEAK, AND WRITE THEM DOWN?

5 A YES.

6 Q WERE YOU THERE TO INTERPRET ANYTHING OF
7 WHAT WAS BEING SAID?

8 A NO.

9 Q HAVE YOU EVER BEEN IN THE CONCERT BUSINESS?

10 A NO.

11 Q DO YOU KNOW ANYTHING ABOUT WORLD TOURS?

12 A NOTHING WHATSOEVER.

13 MR. PANISH: OKAY. I WANT TO SHOW YOU, SIR -- I
14 WANT TO PUT UP, ACTUALLY, TESTIMONY OF KATHY JORRIE,
15 STARTING AT PAGE 13175, LINE 15. I'M HAPPY TO SHOW IT
16 TO MS. BINA.

17 THE COURT: TESTIMONY IN THE TRIAL, A DEPO, OR --

18 MR. PANISH: TRIAL TESTIMONY OF MS. JORRIE, ME
19 QUESTIONING HER WHEN SHE WAS ON THAT WITNESS STAND.
20 AND IT GOES UP THROUGH 78.

21 THE COURT: ALL RIGHT.

22 MR. PANISH: AND WHILE MS. BINA IS DOING THAT,
23 SIR, WHEN WE GET THERE, I'M GOING TO ASK YOU SOME
24 QUESTIONS. I'M GOING TO SHOW YOU MS. JORRIE'S
25 TESTIMONY THAT SHE GAVE HERE AND ASK YOU SOME QUESTIONS
26 ABOUT IT. OKAY?

27 THE WITNESS: YES, SIR.

28 MS. BINA: I'M JUST GOING TO OBJECT THAT THE

1 TESTIMONY IS INCOMPLETE.

2 THE COURT: WELL, I'LL LET YOU SHOW OTHERS IF YOU
3 HAVE OTHERS.

4 MR. PANISH: OKAY. SO LET'S START LINE 15. THIS
5 IS ME QUESTIONING MS. JORRIE (READING):

6 Q DID YOU TELL -- DID
7 MR. PUTNAM TELL THE LOS ANGELES
8 POLICE DEPARTMENT THAT
9 MICHAEL JACKSON WAS GOING TO DO A
10 WORLD TOUR THAT WOULD LAST TWO TO
11 THREE YEARS?

12 A NOT THAT I RECALL, SIR.

13 Q DID YOU TELL -- DID
14 MR. PUTNAM AND MS. JORRIE TELL THE
15 LOS ANGELES POLICE DEPARTMENT THAT
16 THE EUROPEAN TOUR WAS JUST THE
17 BEGINNING, AND THAT MICHAEL JACKSON
18 WAS GOING TO DO A WORLD TOUR THAT
19 WOULD LAST TWO TO THREE YEARS?

20 A NOT THAT I RECALL.

21 Q DO YOU DENY MAKING THAT
22 STATEMENT TO THE LOS ANGELES POLICE
23 DEPARTMENT?

24 A THAT'S NOT MY STATEMENT. I
25 DID NOT SAY THAT. IT DOESN'T REFRESH
26 MY RECOLLECTION OF ANY SUCH
27 CONVERSATION.

28 Q MS. JORRIE, DID YOU TELL THE

1 LOS ANGELES POLICE DEPARTMENT THAT
2 MR. JACKSON, WHEN HE FINISHED THE
3 EUROPEAN PORTION IN LONDON, WAS GOING
4 TO GO ON A TWO- TO THREE-YEAR
5 WORLDWIDE TOUR, YES OR NO?

6 A NO.

7 Q OKAY. SO YOU DENY MAKING
8 THAT STATEMENT; IS THAT CORRECT?

9 A IN THAT WAY, YES.

10 Q AND YOU'RE AS SURE OF THAT AS
11 ANYTHING YOU'VE TESTIFIED HERE WHEN
12 MS. BINA WAS QUESTIONING YOU,
13 CORRECT?

14 A PRETTY SURE I WOULDN'T HAVE
15 SAID IT QUITE THAT WAY, SIR.

16 THE COURT: "QUITE LIKE THAT."

17 MR. PANISH: "QUITE LIKE THAT."

18 AND WE'RE GOING TO SKIP TO THE NEXT -- 22,
19 RIGHT DOWN BELOW THAT.

20 (READING:)

21 DID YOU TELL THE LOS ANGELES
22 POLICE DEPARTMENT -- FIRST OF ALL,
23 LET'S START WITH MR. PUTNAM. DID
24 MR. PUTNAM TELL THE LOS ANGELES
25 POLICE DEPARTMENT THAT
26 MICHAEL JACKSON WAS GOING TO DO A
27 WORLD TOUR THAT WOULD LAST TWO TO
28 THREE YEARS?

1 A I DON'T THINK SO, SIR.

2 Q SO YOU DENY THAT HE SAID
3 THAT, RIGHT?

4 A YES.

5 Q AND YOU DENY THAT YOU TOLD
6 THE LOS ANGELES POLICE DEPARTMENT
7 THAT WHEN -- THAT MICHAEL JACKSON WAS
8 GOING TO DO A WORLD TOUR THAT WOULD
9 LAST TWO TO THREE YEARS, CORRECT?

10 A THAT'S CORRECT.

11 Q AND YOU DENY TELLING THAT TO
12 OFFICER SMITH, CORRECT?

13 A THAT'S RIGHT.

14 Q AND SO DO YOU -- YOU'RE AS
15 SURE OF THAT AS ALL THE TESTIMONY
16 YOU'VE GIVEN HERE TODAY, CORRECT?

17 A I'M PRETTY SURE I -- YES.

18 Q SO IF MR. -- SO IF
19 DETECTIVE SMITH WERE TO COME IN HERE
20 AND SAY YOU MADE THAT STATEMENT, THEN
21 HE'D BE LYING, RIGHT?

22 A HE WOULD BE MISTAKEN,
23 MR. PANISH.

24 OKAY. WE DON'T NEED TO READ THE REST PART.

25 Q NOW, DID YOU GET THE GIST OF WHAT I JUST
26 READ TO YOU, SIR?

27 A YES, SIR.

28 Q OKAY. NOW, WAS THAT A TRUE TESTIMONY BASED

1 ON YOUR INTERVIEW OF MR. PUTNAM AND MS. JORRIE?

2 MS. BINA: OBJECTION; YOUR HONOR. THAT'S AN
3 IMPROPER QUESTION TO ASSESS MS. JORRIE'S CREDIBILITY.

4 THE COURT: THAT IS A LITTLE BIT. THAT'S NOT
5 QUITE THE WAY --

6 MR. PANISH: OKAY.

7 Q DID MS. JORRIE, WHEN SHE DENIED MAKING THAT
8 STATEMENT -- STRIKE THE QUESTION.

9 MS. JORRIE DENIED MAKING CERTAIN STATEMENTS
10 TO YOU THAT I JUST READ; IS THAT CORRECT?

11 MS. BINA: OBJECTION; LEADING, ALSO AN IMPROPER
12 QUESTION, CHARACTERIZES THE TESTIMONY, YOUR HONOR. SHE
13 SAID REPEATEDLY, YOUR HONOR, THAT SHE DIDN'T SAY IT IN
14 THAT WAY.

15 MR. PANISH: NO. THAT'S A SPEAKING --

16 THE COURT: OVERRULED.

17 MR. PANISH: OKAY.

18 Q DETECTIVE, TELL US, SIR, FROM YOUR
19 PERSPECTIVE OF WHAT MS. JORRIE TOLD YOU, WAS THAT
20 ACCURATE OR NOT?

21 A SHE DID STATE THAT THERE WAS GOING TO BE A
22 WORLD TOUR THAT WOULD LAST TWO TO THREE YEARS.

23 Q AND WHEN MS. JORRIE SAID THAT, DID YOU TAKE
24 NOTES?

25 A YES.

26 Q DID YOU DO IT IN THE PROCEDURES THAT YOU
27 FOLLOW AT THE LOS ANGELES POLICE DEPARTMENT?

28 A YES.

1 Q DO YOU STILL HAVE THOSE HANDWRITTEN NOTES
2 THAT REFLECT WHAT WAS STATED?

3 A YES, I DO.

4 Q ARE THEY RIGHT THERE IN THAT BOOK?

5 A YES, SIR.

6 Q AND HAVE YOU CONFIRMED -- STRIKE THAT.
7 WHEN YOU FINISHED THE INTERVIEW, DID YOU
8 SAY ANYTHING TO MS. JORRIE OR MS. PUTNAM (SIC)?

9 MS. BINA: OBJECTION; VAGUE?

10 MR. PANISH: I'LL REPHRASE THE QUESTION.

11 Q WHEN YOU TOOK DOWN THE STATEMENT, DID YOU
12 EVER READ IT BACK, WHAT THEY SAID, FROM YOUR NOTES TO
13 MR. PUTNAM AND MS. JORRIE?

14 A TYPICALLY I WOULD; BUT IN THIS SITUATION,
15 I -- I DON'T BELIEVE THAT I DID.

16 Q OKAY. NOW, IS THERE ANY QUESTION IN YOUR
17 MIND THAT YOU ACCURATELY WROTE DOWN WHAT MS. JORRIE
18 TOLD YOU?

19 A NO QUESTION WHATSOEVER.

20 Q CAN YOU READ FOR US SPECIFICALLY WHAT
21 MS. JORRIE TOLD YOU ABOUT THE WORLD TOUR WHEN YOU
22 INTERVIEWED HER IN HER OFFICE IN THE PRESENCE OF
23 MR. PUTNAM?

24 CAN YOU DO THAT FOR US, PLEASE, SIR?

25 A YES.

26 MS. BINA: AND I'M GOING TO OBJECT TO THAT, YOUR
27 HONOR, IN THAT THE HANDWRITTEN NOTES ARE THE
28 DETECTIVE'S NOTES, THEY'RE NOT A VERBATIM TRANSCRIPT

1 AND THEY'RE NOT MS. JORRIE'S WORDS, SO THEY'RE
2 HEARSAY.

3 MR. PANISH: THEY'RE ABSOLUTELY. IT'S A PRIOR
4 INCONSISTENT STATEMENT. IT'S IMPEACHING HER.

5 THE COURT: OVERRULED. YOU MAY READ IT.

6 Q BY MR. PANISH: LET'S FIRST START WITH THE
7 STATEMENT THAT YOU WROTE DOWN ON THE OFFICIAL
8 LOS ANGELES POLICE DEPARTMENT FORM.

9 A OKAY.

10 Q WHY DON'T YOU READ IT TO US, JUST ABOUT THE
11 WORLD TOUR.

12 A "MS. JORRIE AND MR. PUTNAM STATED THAT THIS
13 WAS ONLY THE BEGINNING, M.J. WAS TO DO A WORLD TOUR
14 THAT WOULD LAST TWO TO THREE YEARS."

15 Q DID YOU ACCURATELY WRITE THAT DOWN?

16 A YES, I DID.

17 Q DO YOU HAVE -- COULD YOU LOOK AT YOUR
18 HANDWRITTEN NOTES THAT YOU TOOK THAT DAY AT THE
19 MEETING -- CAN YOU LOOK AT THAT?

20 A THESE ARE MY HANDWRITTEN NOTES.

21 Q OKAY. AND DID YOU TRANSCRIBE THOSE NOTES
22 INTO AN OFFICIAL LOS ANGELES POLICE DEPARTMENT REPORT?

23 A YES, I DID.

24 Q OKAY. CAN YOU LOOK AT THAT AND TELL US
25 EXACTLY WHAT YOU TRANSCRIBED.

26 A "MR. PUTNAM AND MS. JORRIE STATED THAT THE
27 EUROPEAN TOUR WAS JUST THE BEGINNING AND THAT
28 MICHAEL JACKSON WAS GOING TO DO A WORLD TOUR THAT WOULD

1 LAST TWO TO THREE YEARS."

2 Q OKAY. NOW, SIR, IS THERE ANY QUESTION IN
3 YOUR MIND THAT YOU TOOK DOWN COMPLETELY ACCURATELY WHAT
4 WAS TOLD TO YOU?

5 A NO, SIR.

6 Q SO DO YOU HAVE ANY REASON TO PUT DOWN
7 SOMETHING FALSE THAT MR. PUTNAM OR MS. JORRIE MIGHT
8 HAVE SAID?

9 A NONE WHATSOEVER.

10 Q DO YOU HAVE ANY ILL WILL TOWARDS MR. PUTNAM
11 OR MS. JORRIE?

12 A NO, I DO NOT.

13 Q HAVE YOU EVER DEALT WITH THEM SINCE THAT
14 TIME?

15 A NO, I DON'T BELIEVE SO.

16 Q NOW, FINALLY, WHEN YOU TAKE A WITNESS
17 STATEMENT, DO YOU TRY TO TAKE A STATEMENT AT A LOCATION
18 THAT'S CONVENIENT OR INCONVENIENT FOR THE WITNESS?

19 A CONVENIENT FOR THE WITNESS.

20 Q WHY DO YOU DO THAT?

21 A THEIR PREFERENCE OF TIME AND LOCATION MAKES
22 IT MUCH MORE EASIER FOR THEM, OBVIOUSLY; AND I BELIEVE
23 THAT'S JUST THE RIGHT WAY TO DO THINGS.

24 Q IS THAT HOW YOU DID IT IN THIS CASE?

25 A YES, SIR.

26 Q DO YOU LISTEN CAREFULLY OR NOT CAREFULLY
27 WHEN YOU WRITE DOWN WHAT THEY SAY?

28 A CAREFULLY.

1 Q DO YOU WRITE IT DOWN CONTEMPORANEOUSLY WHEN
2 IT'S SAID, OR SOME LATER TIME?

3 A CONTEMPORANEOUSLY.

4 Q DID YOU DO THAT HERE?

5 A YES, I DID.

6 Q IS THAT HOW YOU WERE TRAINED IN THE
7 LOS ANGELES POLICE DEPARTMENT ACADEMY AND IN ADDITIONAL
8 ON-THE-JOB TRAINING?

9 A YES.

10 Q WHEN YOU GO BACK TO THE STATION, DO YOU
11 REVIEW YOUR NOTES THAT YOU TOOK DOWN?

12 A YES.

13 Q DID YOU DO THAT HERE?

14 A YES, I DID.

15 Q IF THERE'S ANYTHING UNCLEAR, DO YOU GIVE
16 THE PERSON THAT YOU'VE INTERVIEWED, OR PERSONS, THE
17 OPPORTUNITY TO CLARIFY WHAT YOU SAID TO MAKE SURE THAT
18 IT'S ACCURATE?

19 A YES.

20 Q DO YOU TYPE UP -- DID YOU TYPE UP YOUR
21 HANDWRITTEN NOTES FOR A REPORT?

22 A YES, I DID.

23 Q IS THAT SOMETHING YOU'VE DONE MANY, MANY
24 TIMES?

25 A YES.

26 MR. PANISH: THAT'S ALL I HAVE. THANK YOU,
27 SIR.

28 THE WITNESS: THANK YOU.

1 THE COURT: CROSS-EXAMINATION?

2 MS. BINA: BRIEFLY, YOUR HONOR.

3

4 CROSS-EXAMINATION

5 BY MS. BINA:

6 Q GOOD AFTERNOON, DETECTIVE SMITH.

7 A GOOD AFTERNOON, MA'AM.

8 Q I'LL TRY TO KEEP THESE THINGS QUICK HERE
9 BECAUSE I KNOW IT'S HOT. LET'S START WITH YOUR
10 INTERVIEW WITH MS. JORRIE. MS. JORRIE AGREED TO BE
11 INTERVIEWED BY THE POLICE IN CONNECTION WITH THIS CASE,
12 RIGHT?

13 A YES, MA'AM.

14 Q AND SHE DIDN'T RAISE ANY OBJECTIONS OR SAY
15 SHE DIDN'T WANT TO TALK TO THE POLICE?

16 A NO.

17 Q IN FACT, SHE MET WITH THEM A COUPLE OF
18 TIMES, AND THEN EVENTUALLY BECAME A WITNESS IN THE
19 CRIMINAL TRIAL AGAINST DR. CONRAD MURRAY, RIGHT?

20 A THAT'S CORRECT.

21 Q AND YOU TOOK NOTES DURING YOUR MEETING WITH
22 MS. JORRIE?

23 A YES.

24 Q AND WOULD YOU DESCRIBE HER AS COOPERATIVE
25 AND HELPFUL DURING THAT MEETING?

26 A VERY COOPERATIVE AND HELPFUL.

27 Q DID YOU GET THE SENSE THAT SHE WAS HOLDING
28 ANYTHING BACK OR TRYING TO, YOU KNOW, NOT GIVE YOU ANY

1 INFORMATION?

2 A NO.

3 Q AND SHE, IN FACT, TOLD YOU THAT THE DRAFT
4 CONTRACT FOUND IN THE -- IN THE CAR HAD ONLY EVER BEEN
5 SIGNED BY DR. MURRAY, RIGHT?

6 A THAT'S RIGHT.

7 MR. PANISH: THAT'S GOING TO BE HEARSAY. IT'S
8 NOT BEING USED FOR AN APPROPRIATE PURPOSE.

9 THE COURT: OVERRULED.

10 Q BY MS. BINA: AND YOU NEVER SAW A VERSION
11 OF THE CONTRACT THAT WAS SIGNED BY A.E.G. LIVE OR BY
12 MICHAEL JACKSON?

13 A NO, I DID NOT.

14 Q AND I WANTED TO ASK A LITTLE BIT ABOUT YOUR
15 NOTES, BECAUSE THE POLICE STATEMENT I HAVE HERE IS THE
16 SUMMARY OF YOUR -- YOUR INTERVIEW, RIGHT?

17 A CORRECT.

18 Q AND YOU TAKE NOTES WHEN YOU'RE INTERVIEWING
19 SOMEONE?

20 A IT DEPENDS.

21 Q GENERALLY SPEAKING?

22 A GENERALLY SPEAKING, YES.

23 Q AND YOU TOOK NOTES WHEN YOU WERE
24 INTERVIEWING MS. JORRIE?

25 A YES.

26 Q BUT YOU DIDN'T HAVE SOMEBODY LIKE THE COURT
27 REPORTER THERE TAKING DOWN EVERY WORD, RIGHT?

28 A NO, MA'AM.

1 Q AND SO WHAT YOU TAKE IS A SUMMARY, YOUR
2 NOTES ARE A SUMMARY OF THE CONVERSATION, RIGHT?

3 A THAT'S CORRECT.

4 Q AND YOU TRY TO BE AS THOROUGH AND ACCURATE
5 AS YOU CAN, BUT YOU DON'T GET EVERY DETAIL, EVERY WORD,
6 EVERYTHING EVERYBODY SAYS DURING THE ENTIRE
7 CONVERSATION?

8 A I WOULD IMAGINE THERE'S SOME THINGS MISSED.

9 Q AND I WANTED TO ASK THAT BECAUSE I WANT TO
10 SHOW YOU A LITTLE BIT MORE OF MS. JORRIE'S TESTIMONY
11 AND THEN ASK YOU SOME QUESTIONS ABOUT IT. AND LET'S
12 PUT BACK UP THE PART THAT MR. PANISH SHOWED FIRST.

13 AND THAT IS 13175, AND I'LL REPRESENT TO
14 YOU THAT MS. JORRIE WAS SHOWN A COPY OF THIS TWO-PAGE
15 SUMMARY THAT YOU HAD TYPED UP OF THE INTERVIEW.

16 A OKAY.

17 Q AND, YOU KNOW, SHE -- AND THAT WAS WHAT
18 MR. PANISH WAS ASKING ABOUT AT THE TIME.

19 MR. PANISH: WELL, THAT'S NOT WHAT I WAS ASKING
20 ABOUT. I'M GOING TO JUST OBJECT TO COUNSEL'S
21 REPRESENTATION BECAUSE MS. JORRIE SAID IT REFRESHED
22 NOTHING, AND I DIDN'T SHOW IT TO HER BECAUSE I WASN'T
23 ALLOWED TO BECAUSE I ASKED HER HAD SHE REVIEWED IT, SHE
24 SAID SHE HADN'T, AND IT DIDN'T REFRESH HER
25 RECOLLECTION.

26 MS. BINA: YOUR HONOR, SHE SAID SHE HAD REVIEWED
27 IT, IT DIDN'T REFRESH HER RECOLLECTION BECAUSE IT
28 WASN'T HER STATEMENT. BUT IT WASN'T HER STATEMENT, IT

1 WAS SOMETHING THAT MR. PANISH SHOWED, SO I WAS TRYING
2 TO REFRESH HER RECOLLECTION.

3 THE COURT: IF IT DIDN'T REFRESH HER
4 RECOLLECTION, SHE DIDN'T USE IT AT ALL IN CONJUNCTION
5 WITH HER TESTIMONY, SO SUSTAINED.

6 MS. BINA: I'D LIKE TO GO TO THE NEXT PAGE,
7 SOMETHING THAT MR. PANISH SKIPPED OVER, 13176. AND
8 LET'S START WITH LINE 8, AND THEN JUST GO ALL THE WAY
9 DOWN TO THE BOTTOM OF THE PAGE.

10 MR. PANISH: I'M JUST GOING TO OBJECT TO THE
11 STATEMENT THAT I SKIPPED OVER IT. I DIDN'T SKIP OVER
12 LINE 8.

13 THE COURT: SUSTAINED AS TO THE CHARACTERIZATION.
14 JUST SHOW WHATEVER YOU WANT TO SHOW.

15 Q BY MS. BINA: AND I'D LIKE TO DRAW YOUR
16 ATTENTION, DETECTIVE SMITH, TO THE LINE AFTER HE READ,
17 "PRETTY SURE I WOULDN'T HAVE SAID IT QUITE LIKE THAT,
18 SIR."

19 AND THEN WE HAVE (READING):

20 Q DID YOU TELL THE LOS ANGELES
21 POLICE DEPARTMENT THAT MR. JACKSON
22 WAS GOING TO GO ON A WORLDWIDE TOUR
23 AFTER LONDON?

24 A I'D BE HAPPY TO TELL YOU WHAT
25 I SAID TO THEM IF YOU'D LIKE TO HEAR
26 IT.

27 Q CAN YOU ANSWER MY QUESTION,
28 PLEASE.

1 AND THEN GOES ON TO THE PART THAT WE
2 ALREADY READ ABOUT DID MR. PUTNAM TELL THE LOS ANGELES
3 POLICE DEPARTMENT THAT MR. JACKSON WAS GOING TO DO A
4 WORLD TOUR THAT WOULD LAST TWO TO THREE YEARS.

5 AND THEN I'D LIKE TO GO TO THE NEXT PAGE.

6 MR. PANISH: WELL, LET'S READ THE ANSWER.

7 MS. BINA: EXCUSE ME?

8 THE REST OF IT HAS ALREADY BEEN READ.

9 MR. PANISH: I OBJECT TO INCOMPLETE USE OF THE
10 TESTIMONY.

11 MS. BINA: YOUR HONOR, I'M READING THE PORTIONS
12 THAT MR. PANISH DID NOT READ OUT LOUD DURING HIS
13 EXAMINATION.

14 MR. PANISH: YOUR HONOR, I READ THE ENTIRE THING
15 OUT LOUD AND YELLOWED IT OUT.

16 MR. PUTNAM: YOUR HONOR, THIS WAS NOT READ.

17 THE COURT: DID YOU READ QUESTION, ANSWER,
18 QUESTION, ANSWER?

19 MR. PANISH: YES, I DID.

20 THE COURT: THEN YOU READ QUESTION, ANSWER,
21 QUESTION, ANSWER.

22 MS. BINA: I DIDN'T JUST READ THE QUESTION, I
23 READ THE QUESTION AND THE ANSWER.

24 THE COURT: WHAT WAS THE ANSWER AGAIN? I MISSED
25 IT.

26 MR. PANISH: HER QUESTION WAS DID YOU TELL -- DID
27 MR. PUTNAM TELL --

28 MS. BINA: I SAID, "DID YOU TELL THE LOS ANGELES

1 POLICE DEPARTMENT THAT MR. JACKSON WAS GOING TO GO ON A
2 WORLDWIDE TOUR AFTER LONDON?"

3 THE ANSWER WAS, "I'D BE HAPPY TO TELL YOU
4 WHAT I SAID IF YOU'D LIKE TO HEAR IT."

5 THE NEXT QUESTION IS ONE MR. PANISH READ,
6 SO I'M MOVING ON TO THE NEXT PAGE. MR. PANISH READ
7 EVERYTHING EXCEPT LINES 16 THROUGH 20, SO THAT'S THE
8 PORTION I READ HERE.

9 MR. PANISH: THAT'S NOT TRUE.

10 MS. BINA: I DON'T -- MAYBE HE DIDN'T MEAN TO
11 SKIP IT, BUT HE SKIPPED LINE 16 TO 20.

12 MR. PUTNAM: HE STARTED THE PAGE BEFORE, HE READ
13 THROUGH, HE GOT TO A PORTION, WHICH WAS LINE 15, THAT
14 YOU'RE SEEING THERE, YOUR HONOR. HE GOT TO THAT, AND
15 HE SAID NOW THAT'S SKIPPED.

16 MR. PANISH: IS THIS A SPEAKING OBJECTION?

17 MR. PUTNAM: I'M EXPLAINING WHAT OCCURRED.

18 THE COURT: GO AHEAD.

19 MR. PUTNAM: HE THEN SAID SKIP DOWN TO 22. SO
20 SHE SAID, "YOUR HONOR, I'M GOING TO OBJECT TO THIS ON
21 COMPLETENESS."

22 YOU SAID, "YOU CAN DO IT WHEN YOU GET UP
23 THERE."

24 SHE GOT UP AND SAID, "HERE'S THE PORTION
25 YOU DIDN'T READ, YOU SKIPPED THIS."

26 MR. PANISH: SO THEN SHE READ THE OTHER PART THAT
27 I DID READ.

28 THE COURT: ALL RIGHT. I UNDERSTAND.

1 MS. BINA: THAT'S ALL I WAS -- SO, DETECTIVE
2 SMITH, SORRY FOR THE -- I'D LIKE TO DRAW YOUR ATTENTION
3 NOW TO SOMETHING ON THE NEXT PAGE. AND THIS IS AFTER
4 LINE 15, WHICH MR. PANISH READ. I'D LIKE TO LOOK AT
5 LINES -- HANG ON A SECOND. I'M ON THE WRONG PAGE HERE.

6 I'D LIKE TO GO TO THE BOTTOM OF PAGE 13177,
7 LINE 24 THROUGH 28. AND THEN GOING OVER ON TO THE NEXT
8 PAGE, THROUGH LINE 10.

9 MR. PANISH: GO AHEAD.

10 MS. BINA: (READING:)

11 Q BY MR. PANISH: CAN YOU TELL
12 US, DID DETECTIVE SMITH NOT LIKE YOU?

13 A NO. HE WAS QUITE FRIENDLY,
14 ACTUALLY.

15 Q COULD YOU TELL US ANY REASON
16 THAT YOU KNOW OF WHY DETECTIVE SMITH
17 WOULD FABRICATE A STATEMENT MADE BY
18 MR. PUTNAM AND YOURSELF AND PUT IT IN
19 AN OFFICIAL REPORT OF THE LOS ANGELES
20 POLICE DEPARTMENT?

21 A YES, BECAUSE HE MISUNDERSTOOD
22 WHAT I WAS SAYING TO HIM ABOUT THE
23 TOUR AGREEMENT.

24 WELL, DID YOU CALL HIM UP AND
25 SAY, "YOU MISUNDERSTOOD WHAT I TOLD
26 YOU"?

27 A I DIDN'T EVEN RECEIVE THAT
28 REPORT FOR SOME TIME.

1 AND THEN ONE MORE SECTION --

2 MR. BOYLE: IS THAT A QUESTION?

3 MS. BINA: -- WHICH IS 13390.

4 MR. PANISH: I DON'T HAVE THAT ONE.

5 MS. BINA: I'LL SHOW IT TO YOU. AND THAT IS LINE
6 23 THROUGH -- I'LL SHOW IT TO YOU IN ONE SECOND. I'M
7 JUST TRYING TO READ THE NUMBERS INTO THE RECORD.
8 13391-13, AND THEN 13392, LINE 20 THROUGH 133- -- LINE
9 7. I'LL SHOW IT TO YOU.

10 MR. PANISH: 13391-13, TO 13392-20?

11 MS. BINA: 13390, LINE 23, IS WHERE IT STARTS.

12 HERE. WE'VE GOT ANOTHER COPY, TRY TO DO
13 THIS SIMULTANEOUSLY.

14 MR. PANISH: OKAY. SO WHERE ARE WE? 13390,
15 WHICH LINE?

16 MS. BINA: STARTING WITH LINE 23 --

17 MR. PANISH: OKAY. AND THEN --

18 MS. BINA: -- THROUGH 13391, LINE 13; AND THEN
19 THE NEXT PAGE, 13392, LINE 20.

20 MR. PANISH: LET'S DO THIS PART FIRST. 13390,
21 LINE 20, TO 13391, LINE 13, YOU CAN READ THAT PART
22 FIRST, IT'S LINE 23, ACTUALLY.

23 MR. PANISH: GO AHEAD, READ IT.

24 MS. BINA: (READING:)

25 Q AND YOU WERE ASKED A LITTLE
26 BIT AGO ABOUT SOME STATEMENTS THAT
27 YOU MADE TO THE POLICE REGARDING
28 MR. JACKSON GOING ON A TWO- TO

1 THREE-YEAR WORLD TOUR?

2 A YES.

3 Q DO YOU RECALL THAT?

4 A YES.

5 NEXT PAGE.

6 Q AND I'D LIKE TO ASK DO YOU
7 RECALL YOU SAID SEVERAL TIMES THAT
8 YOU REMEMBER EXACTLY WHAT YOU TOLD
9 THE POLICE ABOUT THE WORLD TOUR
10 AGREEMENT?

11 A YES.

12 Q BUT YOU DIDN'T ACTUALLY GET
13 TO TELL US THAT?

14 A RIGHT.

15 Q WHAT DID YOU TELL THE POLICE
16 ABOUT THE WORLD TOUR?

17 A WELL, WHAT WE EXPLAINED WAS
18 THAT THE TOUR AGREEMENT HAD THE
19 POTENTIAL FOR GOING THE LENGTH OF THE
20 TERM, BUT IT WAS THE POTENTIAL, AND
21 THEN WE TALKED ABOUT THE TERM AND HOW
22 THAT WORKED.

23 AND THERE'S ONE MORE SECTION.

24 MR. PANISH: IS THERE A QUESTION HERE?

25 MS. BINA: I'M DOING WHAT MR. PANISH DID. I'M
26 SHOWING TESTIMONY AND GOING TO ASK QUESTIONS ABOUT IT A
27 AFTERWARDS.

28 THE COURT: OVERRULED.

1 MR. PANISH: I DIDN'T OBJECT. WHAT'S THE NEXT
2 PAGE AND LINE?

3 MS. BINA: 13392, LINE 20.

4 AND, PAM, IF YOU CAN BLACK OUT LINES 22
5 THROUGH 24.

6 AND THEN THROUGH 13393, LINE 7.

7 Q WHAT SPECIFICALLY DID YOU
8 TELL THE POLICE?

9 A WHAT I SAID TO THE DETECTIVES
10 WAS THAT THE AGREEMENT HAD THE
11 POTENTIAL FOR EXTENDING FOR THE TERM
12 OF THE AGREEMENT, AND THAT THE
13 PARTIES WOULD NEED TO MUTUALLY
14 APPROVE THE ITINERARIES, AND AS THEY
15 APPROVED THEM, THEN THE TOUR WOULD
16 CONTINUE INTO ONE COUNTRY, INTO THE
17 NEXT.

18 Q SO YOU TOLD THE POLICE THAT
19 MUTUALLY APPROVED LEGS COULD CONTINUE
20 ON, AND THAT THERE WAS A POTENTIAL
21 FOR A LONGER TOUR?

22 A YES, BUT I DIDN'T GET INTO
23 THE MECHANICS OF THE CONTRACT, HOW
24 THAT WORKED.

25 Q SO DETECTIVE SMITH, I WANT TO ASK YOU, AS
26 WE SIT HERE TODAY, DO YOU RECALL WORD FOR WORD EXACTLY
27 WHAT MS. JORRIE SAID ABOUT THE WORLD TOUR?

28 A I DO NOT.

1 Q DO YOU RECALL WHETHER SHE SAID IT WAS
2 DEFINITELY GOING TO BE TWO OR THREE YEARS, OR THAT IT
3 HAD THE POTENTIAL FOR THAT IF MUTUAL LEGS WERE APPROVED
4 AS THEY WENT -- FOR INSTANCE, IF LONDON WAS A SUCCESS,
5 THEN THEY MIGHT GO ON TO ANOTHER LOCATION AND ANOTHER
6 LOCATION AFTER THAT?

7 A I DON'T RECALL THAT, NO.

8 Q WAS THAT IN ANY WAY IMPORTANT TO YOUR
9 INVESTIGATION OR WHAT YOU WERE TRYING TO FIND OUT ABOUT
10 DR. CONRAD MURRAY?

11 A NONE WHATSOEVER.

12 Q AND IF MS. JORRIE ACKNOWLEDGED TALKING
13 ABOUT A TWO- TO THREE-YEAR TOUR, BUT SAID IT WAS A
14 POTENTIAL TOUR, WOULD YOU HAVE ANY REASON TO DISBELIEVE
15 HER TESTIMONY OR DOUBT THAT SHE WAS BEING TRUTHFUL?

16 A NO.

17 MR. PANISH: THAT'S SPECULATION.

18 THE COURT: OVERRULED.

19 MS. BINA: ALL RIGHT.

20 Q AND JUST ONE MORE THING, DETECTIVE SMITH.
21 YOU TALKED A LOT ABOUT -- A LITTLE BIT ABOUT
22 DR. MURRAY'S FINANCIAL ISSUES AND MOTIVE.

23 IN YOUR VIEW, IS THERE EVER A REASON FOR
24 SOMEONE -- A GOOD REASON FOR SOMEONE TO BREAK THE LAW
25 AND COMMIT A CRIME LIKE DR. MURRAY DID IN THIS CASE?

26 A AS IT RELATES TO DR. MURRAY, NO.

27 Q AND LOTS OF PEOPLE HAVE FINANCIAL PROBLEMS,
28 RIGHT?

1 A YES.

2 Q AND THEY STILL FOLLOW THE LAW?

3 A YES.

4 Q AND IF THEY DON'T, YOU PROSECUTE THEM?

5 A YES, MA'AM.

6 MS. BINA: THANK YOU.

7 NOTHING FURTHER.

8

9

REDIRECT EXAMINATION

10 BY MR. PANISH:

11 Q AND IN THIS CASE, SIR, DR. MURRAY HAD A
12 FINANCIAL INTEREST THAT LED YOU TO BELIEVE THAT THAT'S
13 WHY HE WOULD VIOLATE HIS HIPPOCRATIC OATH IN THIS CASE
14 FOR THE MOTIVE FOR WHAT HAPPENED TO MR. JACKSON,
15 CORRECT?

16 A YES, SIR.

17 Q AND BASED ON THE CONTRACT THAT YOU FOUND IN
18 DR. MURRAY'S CONTRACT BETWEEN A.E.G. AND DR. MURRAY,
19 THAT DREW YOUR ATTENTION RIGHT AWAY TO THAT FIGURE, THE
20 AMOUNT OF MONEY THAT HE WAS GOING TO BE PAID, DID IT
21 NOT?

22 A YES, IT DID.

23 Q AND AS A -- AS AN EXPERIENCED HOMICIDE
24 DETECTIVE, WHEN YOU SAW \$150,000 A MONTH, THAT RAISED A
25 SERIOUS RED FLAG TO YOU ABOUT DR. MURRAY'S ETHICS AND
26 WHETHER OR NOT HE WAS UNBIASED, CORRECT?

27 MS. BINA: OBJECTION; LEADING.

28 THE COURT: OVERRULED.

1 THE WITNESS: YES, IT DID.

2 Q BY MR. PANISH: AND YOU SAW THAT A.E.G.
3 COULD TERMINATE THE CONTRACT AT ANY TIME, DID YOU NOT?

4 MS. BINA: OBJECTION; LACKS FOUNDATION.

5 THE COURT: OVERRULED.

6 Q BY MR. PANISH: DO YOU HAVE THE CONTRACT
7 WITH YOU RIGHT THERE, SIR?

8 A IT MAY BE IN HERE SOMEWHERE. I DON'T KNOW
9 EXACTLY WHERE.

10 Q OKAY. FAIR ENOUGH.

11 YOU HAD SERIOUS CONCERNS ABOUT THAT
12 CONTRACT AND DR. MURRAY'S FINANCIAL INTEREST AND HIS --
13 HIS FINANCIAL SITUATION THAT HE WOULD VIOLATE HIS
14 HIPPOCRATIC OATH, CORRECT?

15 A YES, SIR.

16 Q AND IT WAS YOUR DETERMINATION THAT THAT'S
17 WHY HE DID IT, CORRECT?

18 A YES, SIR.

19 MS. BINA: OBJECTION; BEYOND THE SCOPE OF
20 REBUTTAL.

21 MR. PANISH: SHE GOT INTO IT.

22 THE COURT: OVERRULED.

23 Q BY MR. PANISH: NOW, SIR, MS. JORRIE -- DID
24 YOU KNOW THAT MS. JORRIE -- DID MS. JORRIE DISCLOSE TO
25 YOU THAT SHE HAD A FINANCIAL INTEREST OF BEING PAID
26 OVER \$7 MILLION IN THE PAST SEVERAL YEARS BY A.E.G.?

27 MS. BINA: OBJECTION; MISREPRESENTS MS. JORRIE'S
28 TESTIMONY, IRRELEVANT, BEYOND THE SCOPE.

1 MR. PANISH: SHE ASKED ABOUT MS. JORRIE'S
2 CREDIBILITY.

3 THE COURT: OVERRULED.

4 THE WITNESS: NO, SIR, I HAD NO IDEA.

5 Q BY MR. PANISH: AND, SIR, WHEN WITNESSES
6 ARE BEING INTERVIEWED, YOU EXPECT THEM TO BE HONEST,
7 CORRECT?

8 A YES.

9 Q BUT A LOT OF TIMES THEY'RE NOT, RIGHT?

10 A IT COULD HAPPEN, YES.

11 Q AND REASONS FOR PEOPLE NOT TO BE HONEST
12 COULD BE THEY HAVE A FINANCIAL MOTIVE NOT TO BE,
13 CORRECT?

14 A COULD BE, YES, SIR.

15 Q AND YOU DIDN'T KNOW ANYTHING ABOUT HOW MUCH
16 MONEY THE DEFENDANTS HAVE PAID MS. JORRIE, DID YOU?

17 MS. BINA: AND I'M JUST GOING TO AGAIN OBJECT TO
18 THE FIGURE. THAT'S NOT BEEN PAID TO MS. JORRIE. IT
19 MISSTATES THE EVIDENCE.

20 MR. PANISH: I'LL REPHRASE.

21 Q TO MS. JORRIE'S LAW FIRM, IN WHICH SHE WAS
22 THE MANAGING PARTNER. THEY DIDN'T TELL YOU THAT, DID
23 THEY?

24 THE COURT: YOU MAY ANSWER.

25 THE WITNESS: NO, THEY DID NOT.

26 MR. PANISH: OKAY.

27 Q AND MS. JORRIE, IF SHE HAD TOLD YOU
28 SOMETHING LIKE IT WAS GOING TO BE A TOUR OR IT MIGHT BE

1 A TOUR OR IT WAS POTENTIALLY A TOUR, YOU'D WRITE DOWN
2 ACCURATELY WHAT SHE TOLD YOU, WOULDN'T YOU?

3 A YES.

4 Q AND YOU HAVE NO RECOLLECTION WHATSOEVER OF
5 HER OR MR. PUTNAM EVER SAYING THIS WAS A POTENTIAL
6 TOUR, DO YOU, SIR?

7 MS. BINA: OBJECTION; LEADING, ARGUMENTATIVE.

8 THE COURT: OVERRULED.

9 THE WITNESS: I DO NOT.

10 Q BY MR. PANISH: AND THAT'S SOMETHING THAT
11 YOU WOULD HAVE WRITTEN DOWN AS PART OF YOUR TRAINING AS
12 A SWORN LOS ANGELES POLICE DEPARTMENT OFFICER, CORRECT?

13 A YES, SIR.

14 MR. PANISH: NOTHING FURTHER.

15

16 RECROSS-EXAMINATION

17 BY MS. BINA:

18 Q BRIEFLY, DETECTIVE SMITH, DID IT MATTER TO
19 YOU IN YOUR INVESTIGATION IN ANY WAY, SHAPE OR FORM
20 WHETHER A.E.G. LIVE OR MICHAEL JACKSON WAS THE ONE
21 PAYING DR. MURRAY?

22 A NO, MA'AM.

23 Q AND IF -- IF MICHAEL JACKSON SAID THE
24 150,000, OR IF A.E.G. LIVE DID, OR WHOEVER DID, IT
25 WOULD MAKE NO DIFFERENCE TO YOU?

26 A THAT'S CORRECT.

27 Q AND DO YOU HAVE ANY KNOWLEDGE ONE WAY OR
28 THE OTHER OF WHEN MICHAEL JACKSON ASKED DR. MURRAY TO

1 COME ON TOUR WITH HIM?

2 A HERE TODAY, I DON'T RECALL, NO.

3 Q AND YOUR CONCERN WAS WHETHER DR. MURRAY HAD
4 MOTIVES ONE WAY OR THE OTHER, BUT THAT WAS NOT -- LET
5 ME START THAT QUESTION AGAIN.

6 YOU WEREN'T INVESTIGATING A.E.G. LIVE?

7 A NO, MA'AM.

8 Q YOU WERE INVESTIGATING DR. CONRAD MURRAY?

9 A YES.

10 Q AND THE DETAILS OF A.E.G. LIVE'S
11 RELATIONSHIP WITH DR. -- MICHAEL JACKSON OR THEIR
12 POTENTIAL RELATIONSHIP WITH DR. CONRAD MURRAY, THOSE
13 WERE NOT IMPORTANT TO YOUR INVESTIGATION OTHER THAN IN
14 TERMS OF LOOKING AT, POTENTIALLY, THE MONEY, RIGHT?

15 A MONEY AND MOTIVE.

16 Q AND IT WASN'T WHO WAS PAYING, IT WAS JUST
17 THE AMOUNT?

18 A DEFINITELY THE AMOUNT.

19 Q AND YOU WOULD HAVE HAD THE SAME -- YOU
20 WOULD HAVE HAD THE SAME CONCERNS IF MICHAEL JACKSON WAS
21 PAYING DR. MURRAY \$150,000 A MONTH DIRECTLY?

22 A YES.

23 Q AND THEN AS FAR AS MS. JORRIE'S CONCERNED,
24 YOU TOOK A COUPLE OF PAGES OF NOTES FOR -- HOW LONG WAS
25 THE INTERVIEW?

26 A I'M GUESSING APPROXIMATELY AN HOUR, MAYBE A
27 LITTLE LONGER.

28 Q AND YOU WEREN'T REALLY FIXATED ON THE

1 DETAILS OF THE CONTRACTUAL ARRANGEMENTS BETWEEN
2 MICHAEL JACKSON AND DR. MURRAY -- I'M SORRY --
3 MICHAEL JACKSON AND A.E.G. LIVE?

4 A WE WERE PROVIDED THE CONTRACT, SO I DIDN'T
5 HAVE TO BE TOO IN DEPTH.

6 Q AND AS BETWEEN YOU AND MS. JORRIE, WHO DO
7 YOU THINK KNOWS THE MICHAEL JACKSON A.E.G. LIVE
8 CONTRACT DETAILS BETTER?

9 A BETWEEN WHO? I'M SORRY.

10 Q AS BETWEEN YOU AND MS. JORRIE, THE DETAILS
11 OF THE CONTRACT BETWEEN A.E.G. LIVE AND
12 MICHAEL JACKSON.

13 A OF COURSE, MS. JORRIE.

14 MS. BINA: NOTHING FURTHER, YOUR HONOR.

15 THE COURT: ANYTHING FURTHER?

16

17 FURTHER REDIRECT EXAMINATION

18 BY MR. PANISH:

19 Q SIR, THE REASON WHY YOU WERE INTERVIEWING
20 MS. JORRIE IS BECAUSE IT WAS THE CONTRACT THAT WAS
21 FOUND IN CONRAD MURRAY'S CAR SIGNED BY HIM BY WHICH YOU
22 BELIEVE WAS AN EXORBITANT AMOUNT OF MONEY THAT GAVE HIM
23 A MOTIVE FOR WHY HE DID WHAT HE DID, RIGHT?

24 A YES.

25 MS. BINA: OBJECTION; ASKED AND ANSWERED AT LEAST
26 SIX TIMES TODAY.

27 THE COURT: IT HAS BEEN ASKED AND ANSWERED.

28 SUSTAINED. WE CAN GO BACK AND FORTH ASKING THE SAME

1 QUESTIONS, COUNSEL, BUT I DON'T THINK THAT'S
2 PRODUCTIVE.

3 MR. PANISH: I'M GOING TO ASK ANOTHER QUESTION.

4 THE COURT: ASK A DIFFERENT ONE.

5 MR. PANISH: OKAY. I WILL.

6 Q AND, SIR, WHEN YOU WERE INTERVIEWING
7 MS. JORRIE, IF SHE SAID SOMETHING, WHETHER IT WAS THIS
8 LEG OR THAT LEG OR POTENTIAL, OR MIGHT BE, YOU'D HAVE
9 WRITTEN THAT DOWN, WOULDN'T YOU, SIR? THAT'S WHAT YOU
10 WERE TRAINED TO DO?

11 MS. BINA: OBJECTION; ASKED AND ANSWERED.

12 THE COURT: THAT ONE WAS ASKED, TOO.

13 MR. PANISH: SHE JUST ASKED -- ALL RIGHT.

14 Q WHETHER IT WAS IMPORTANT TO YOUR
15 INVESTIGATION OR NOT, LIKE MS. BINA JUST ASKED YOU, IF
16 SHE TOLD YOU THAT INFORMATION, YOU'D HAVE WRITTEN IT
17 DOWN, WOULDN'T YOU, SIR?

18 A YES.

19 MR. PANISH: NOTHING FURTHER.

20 MS. BINA: NOTHING FURTHER, YOUR HONOR.

21 THE COURT: THANK YOU. YOU MAY STEP DOWN.

22 THE WITNESS: THANK YOU, YOUR HONOR.

23 MR. PANISH: THANK YOU, DETECTIVE. YOU CAN TAKE
24 THAT WATER WITH YOU.

25 MR. PUTNAM: I WOULD LIKE TO NOTE THE BIAS, YOUR
26 HONOR, GIVING HIM WATER AND EVERYTHING ELSE.

27 MR. PANISH: THAT'S A \$7 MILLION BOTTLE OF
28 WATER.

1 THE COURT: ALL RIGHT. TOMORROW AT
2 10:00 O'CLOCK. TOMORROW AT 10:00 A.M. IN THE
3 COURTROOM. THANK YOU. I'LL SEE YOU TOMORROW.

4
5 (THE FOLLOWING PROCEEDINGS WERE HELD
6 IN OPEN COURT, OUTSIDE THE PRESENCE
7 OF THE JURORS:)

8
9 THE COURT: TOMORROW. WHAT ARE THE WITNESSES
10 TOMORROW?

11 MR. PANISH: DR. METZGER.

12 THE COURT: OKAY. WE'RE GOING TO GO OVER METZGER
13 BECAUSE HE DID TESTIFY THROUGH VIDEO ON A LOT OF
14 SUBJECTS TODAY.

15 MR. PANISH: I UNDERSTAND.

16 THE COURT: SO WHAT'S NEW?

17 MR. PANISH: A LOT ABOUT HIS RELATIONSHIP --
18 BECAUSE, SEE, A LOT OF THE QUESTIONS WERE JUST ASKED,
19 AND THERE WAS NO FOLLOWUP, SO --

20 MR. BOYLE: ALSO, YOUR HONOR, FIRST OF ALL, WE'VE
21 LOOKED BACK --

22 THE COURT: THERE WAS CERTAINLY OPPORTUNITY.

23 MR. PANISH: NO, THERE WASN'T.

24 MR. BOYLE: HOLD ON.

25 YOUR HONOR, WE DON'T HAVE A DUTY WHEN WE'RE
26 TAKING A DEPOSITION TO ASK EVERY SINGLE QUESTION AT THE
27 DEPOSITION. THERE'S NO DUTY TO EVEN TAKE THE
28 DEPOSITION. THEY NOTICED THAT DEPOSITION OF

1 DR. METZGER, THAT'S FINE. JUST BECAUSE -- WE COULD ASK
2 ZERO QUESTIONS, AND THEN WHEN HE COMES LIVE AT TRIAL.

3 NOW, THE RECORD IN THIS TRIAL, THE DEFENSE
4 TOLD THE COURT ON THE RECORD THAT THEY WERE GOING TO
5 CALL DR. METZGER LIVE, AND WE CAN GET YOU THE CITATION
6 FOR THAT. THEN THEY CHANGED THEIR MIND, AND NOW WE'RE
7 TRYING TO BE STUFFED INTO THE DEPOSITION. THAT'S NOT
8 HOW IT WORKS.

9 JUST BECAUSE THEY PLAYED HIS DEPOSITION --
10 THEY SAID THEY WERE GOING TO CALL HIM LIVE, THEY
11 DIDN'T, WE HAVE OTHER QUESTIONS WE WANT TO ASK
12 DR. METZGER. HE'S GOING TO CLARIFY THINGS THAT HE SAID
13 IN HIS DEPOSITION.

14 THE COURT: THEN I WANT TO KNOW WHAT.

15 MR. BOYLE: WE HAVE TO TELL THEM EVERYTHING THAT
16 WE'RE GOING TO ASK THE GUY?

17 THE COURT: I THINK THIS IS YOUR TIME BECAUSE I
18 DON'T WANT TO SPENT AN HOUR ON DR. METZGER BECAUSE HE
19 SPENT --

20 MR. PANISH: WELL, MS. CHANG IS DOING IT.

21 MR. PUTNAM: YOUR HONOR -- MAY I NOTE SOMETHING,
22 PLEASE, FOR THE RECORD, YOUR HONOR?

23 YOUR HONOR --

24 THE COURT: I HOPE YOU DIDN'T THROW A PIECE OF
25 PAPER LIKE THAT.

26 MR. PANISH: IT'S IN THE TRASH CAN. I THREW IT
27 IN THE TRASH. I DIDN'T MISS.

28 THE COURT: I DON'T LIKE TO SEE THAT TYPE OF

1 AGGRESSIVE BEHAVIOR IN THE COURTROOM.

2 MR. PANISH: I THREW A PIECE OF PAPER IN THE
3 TRASH CAN TO MAKE SURE IT MADE IT IN THERE.

4 THE COURT: YES; BUT IT WAS AGGRESSIVE,
5 MR. PANISH.

6 MR. PANISH: I HAVE A GOOD FAST BALL. WHAT CAN I
7 SAY?

8 MR. PUTNAM: YOUR HONOR, THEY REPRESENTED TO YOUR
9 HONOR, AS THEY HAD TO IN ORDER TO ARGUE FOR A REOPENING
10 OF THE CASE, THAT THEY WERE UNABLE TO GET DR. METZGER
11 FOR 15 WEEKS.

12 REMEMBER, YOU HAVE TO DO THAT BECAUSE YOU
13 CAN'T DO WHAT THEY'RE DOING HERE, YOU'RE NOT ALLOWED
14 TO, UNDER THE LAW, WHICH IS PUT ON A CASE FOR FOUR
15 MONTHS, THREE AND A HALF MONTHS, AND THEN COME IN AND
16 SAY, AFTER DEFENSE HAS GONE, "OH, YOU KNOW WHAT? I
17 WANT TO BRING SOMEBODY ELSE THAT I SHOULD HAVE
18 BROUGHT."

19 YOU HAVE TO REPRESENT TO THE COURT, "I WAS
20 UNABLE TO DO SO," AND THEY REPRESENTED TO YOU THEY WERE
21 UNABLE TO GET HIM. WHAT WE JUST HEARD IS NO, NO, THAT
22 WASN'T WHAT HAPPENED. WHAT HAPPENED IS WE THOUGHT THEY
23 WERE GOING TO CALL HIM LIVE, SO WHEN THEY DIDN'T, WE
24 DECIDED TO DO SO.

25 THAT IS, AGAIN, AN IMPROPER REOPENING, YOUR
26 HONOR; AND I THINK WHAT YOU'RE DOING HERE, YOUR HONOR,
27 IS EXACTLY THE PROPER THING, WHICH IS TO HEAR EXACTLY
28 WHAT THEY'RE CALLING HIM FOR AND WHY BECAUSE THEY HAD

1 AMPLE OPPORTUNITY TO DO SO IN THEIR CASE IN CHIEF AND
2 CHOSE NOT TO DO SO.

3 MR. BOYLE: YOUR HONOR, I'M NOT CHANGING THE
4 STORY. MS. CHANG WAS IN THE COURTROOM AND TOLD ABOUT
5 HER EFFORTS TO GET DR. METZGER. I WAS JUST ADDING THE
6 ADDITIONAL POINT ABOUT WHY WE SHOULDN'T HAVE TO BE
7 STUCK WITH THE DEPOSITION BECAUSE THEY WERE GOING TO
8 CALL HIM LIVE, TOO, WHEN THEY GOT TO THEIR CASE.

9 THAT DIDN'T END UP HAPPENING, NOW WE'RE --
10 WE'RE BEING PUNISHED FOR NOT ASKING CERTAIN QUESTIONS
11 IN THE DEPOSITION THAT WAS HOWEVER MANY MONTHS AGO.
12 THAT'S JUST NOT HOW IT WORKS.

13 THE COURT: I'M NOT PUNISHING ANYBODY. WHAT I
14 WANT TO KNOW IS WHAT IS IT THAT YOU'RE GOING TO ASK HIM
15 ABOUT NOW IN REBUTTAL THAT HASN'T BEEN COVERED IN THE
16 DEPOSITION? BECAUSE WE HEARD AN HOUR AND 20 MINUTES
17 TODAY, AND IT -- THAT WAS IN ADDITION TO WHAT WE HEARD
18 A WEEK AND A HALF AGO.

19 MR. PANISH: THEY PLAYED IT.

20 THE COURT: I UNDERSTAND THAT. BUT IT WAS
21 DESIGNATIONS AND COUNTER DESIGNATIONS. SO I WANT TO
22 KNOW WHAT WASN'T COVERED THAT YOU'RE GOING TO COVER
23 NOW.

24 MR. BOYLE: HE'S GOING TO CLARIFY CERTAIN
25 THINGS.

26 THE COURT: BE SPECIFIC.

27 MR. BOYLE: I AM.

28 ABOUT DOCTOR SHOPPING, FOR EXAMPLE. IN THE

1 DEPOSITION, HE WAS --

2 THE COURT: HE DID REFER TO THAT.

3 MR. BOYLE: AND VARIOUS DOCTORS WERE LISTED, HE
4 WAS ASKED IF HE KNEW VARIOUS DOCTORS, INSINUATING TO
5 HIM THAT THESE WERE DOCTORS THAT TREATED
6 MICHAEL JACKSON. FOR EXAMPLE, DR. SLAVIT.

7 WHEN -- WHEN HE WAS ASKED THAT QUESTION,
8 DR. METZGER DID NOT KNOW THAT DR. SLAVIT WAS THE
9 A.E.G.-HIRED INSURANCE DOCTOR, NOT A TREATING DOCTOR,
10 AND SO WE HAVE TO POINT ALL THAT OUT, "SO WHEN THIS
11 LIST OF DOCTORS WERE READ TO YOU, YOU DIDN'T KNOW THAT
12 THEY WERE NOT ACTUALLY DOCTORS WHO TREATED MICHAEL?"

13 WE'D LIKE TO CLEAR THAT UP BECAUSE THAT
14 CAME ACROSS AS MISLEADING AND NOT WHAT -- THAT WAS A
15 CLEVER DEPOSITION READ THAT GOT PLAYED AT TRIAL, BUT
16 DR. METZGER SHOULD BE ABLE TO COME IN AND SAY, "WELL, I
17 DIDN'T KNOW THOSE WEREN'T TREATING DOCTORS."

18 THEY COULD HAVE SAID, "WHAT ABOUT
19 DR. BOB SMITH? DR. SO AND SO?"

20 THE COURT: DR. TABRIZI, DR. TRACY.

21 MR. PANISH: EXACTLY.

22 THE COURT: I GUESS -- MY QUESTION WOULD BE WHY
23 DIDN'T YOU ASK HIM AT THE DEPO?

24 MR. BOYLE: BECAUSE I DIDN'T KNOW WHO THOSE
25 PEOPLE WERE AT THE DEPO.

26 MR. PANISH: WHEN YOU TAKE A DEPOSITION OF A
27 TREATING DOCTOR, YOU HAVE NO OBLIGATION TO ASK ANY
28 QUESTIONS. WE NEVER ASK QUESTIONS, VERY RARELY, OF A

1 PHYSICIAN THAT'S LOCATED IN THE AREA. WE DON'T ASK
2 QUESTIONS OF OUR OWN DOCTORS, GENERALLY.

3 HE ASKED A FEW QUESTIONS, BUT THERE'S NO
4 RESPONSIBILITY OR OBLIGATION FOR SOMEONE TO QUESTION IN
5 A DEPOSITION AND THEN FOR THE COURT TO SAY IF THE
6 DEFENDANT --

7 THE COURT: THEN WHY DIDN'T YOU CALL HIM IN YOUR
8 CASE?

9 MR. BOYLE: MS. CHANG WAS TRYING TO, WE ALREADY
10 WENT THROUGH THIS ABOUT HER EFFORTS AND NOT GETTING
11 HIM. HE WAS OUT OF THE COUNTRY.

12 MR. PANISH: YOU ALLOWED US TO REOPEN, WE WANTED
13 TO CALL HIM THEN, YOU GO NO, LET THEM PLAY THE DEPO,
14 THEN YOU CAN CALL HIM AFTER. SO YOU DIDN'T ALLOW US TO
15 CALL HIM. HE WANTED TO CALL HIM FIRST, YOU SAID NO,
16 THEY PLAYED THE DEPO FIRST.

17 SO NOW WE'RE TRYING TO BE SHOEHORNED INTO
18 THE FACT THAT THE COURT ALLOWED THE DEPOSITION AND SO
19 NOW WE'RE FORECLOSED ON AREAS THAT ARE NOT -- THAT ARE
20 ALLEGEDLY CUMULATIVE ON AN EXPERT -- HE'S GOING TO TALK
21 ABOUT, FOR EXAMPLE, DR. STOLL -- THEY'RE JUST TRYING TO
22 FISH OUT EVERYTHING. THAT'S WHAT IT IS.

23 THE COURT: DR. STOLL. WHAT ELSE? DOCTOR
24 SHOPPING?

25 MR. BOYLE: HE WAS ASKED QUESTIONS ABOUT
26 DR. STOLL, AND MY UNDERSTANDING IS THAT HE HAS --

27 MR. PANISH: HE'S GOING TO TALK ABOUT OTHER
28 EVENTS ON TOURS THAT HE WAS INVOLVED IN. THEY DIDN'T

1 GET INTO EVERYTHING ON THE TOURS. HE'S GOING TO TALK
2 ABOUT OTHER EXAMINATIONS, WORK THAT HE'S DONE ON OTHER
3 TOURS, ABOUT THE OTHER PEOPLE INVOLVED.

4 THERE'S A LOT OF THINGS THAT HE'S GOING TO
5 TALK ABOUT THAT WERE NOT COVERED IN THE DEPOSITION.
6 EVEN THOUGH I DISAGREE WITH YOU THAT NOW WE CAN BE
7 PENALIZED IF WE ASK A QUESTION THAT THEY DIDN'T IN THE
8 DEPOSITION, I BELIEVE THAT THE TESTIMONY WILL NOT BE
9 THE SAME QUESTIONS IN THE DEPOSITION, BUT MORE
10 EXPANSIVE OF WHAT OCCURRED.

11 THAT WAS ALL MR. PUTNAM'S QUESTIONING, BUT
12 FOR TWO PAGES OR THREE PAGES BY MR. BOYLE. ALL THE
13 QUESTIONING WAS DONE BY MR. PUTNAM, NOT BY PLAINTIFFS'
14 COUNSEL, IN THE DEPOSITION; AND IT WOULD BE UNFAIR THAT
15 BECAUSE WE COUNTER DESIGNATED QUESTIONS THAT HE ASKED,
16 THAT WE CAN'T CALL THE WITNESS AND ASK SPECIFIC
17 QUESTIONS.

18 THE COURT'S ALREADY MADE A FINDING THAT WE
19 CAN REOPEN AS TO DR. METZGER. THEY WANT TO KEEP
20 REVISITING THAT.

21 THE COURT: EVEN IF I DID, I DON'T WANT TO --

22 MR. PANISH: YOU DID. I'LL GET THE TRANSCRIPT.

23 THE COURT: EVEN IF I DID, I DON'T WANT TO SPEND
24 THREE HOURS LISTENING TO DR. METZGER ON ISSUES THAT ARE
25 JUST GOING TO BE CUMULATIVE. THAT'S MY POINT.

26 MR. PANISH: I UNDERSTAND YOUR POINT, AND WE
27 DON'T INTEND TO DO IT. JUST LIKE THIS WITNESS. OKAY?
28 THEY SAID IT'S ALL CUMULATIVE. IT WASN'T, IT WAS

1 DIRECTED SPECIFICALLY TO AN AREA, IT WAS TOTALLY
2 PROPER. OKAY? THEY WANTED ME TO HAVE TO GO THROUGH
3 THIS, IT WAS TOTALLY APPROPRIATE.

4 MS. BINA: YOUR HONOR, I WOULD NOTE FOR THE
5 RECORD I THINK IT ACTUALLY WAS CUMULATIVE. THEY ASKED
6 MAYBE THREE MINUTES OF QUESTIONS ON MS. JORRIE AND THE
7 REST WAS AN ATTEMPT TO GET IN FRONT OF THE JURY AGAIN,
8 "OH, THE POLICE THINK HE WAS MOTIVATED BY THE CONTRACT
9 WITH A.E.G. LIVE" UNDER THE GUISE OF BACKGROUND.

10 AND MS. JORRIE'S TESTIMONY WASN'T EVEN
11 REALLY IMPEACHMENT, THE WITNESS ADMITTED HE HAD NO
12 REASON TO BELIEVE WHAT SHE SAID WASN'T A TRUTHFUL
13 CHARACTERIZATION OF WHAT HE TOLD HER.

14 MR. PANISH: COME ON.

15 MS. BINA: SO THE POINT BEING, YOUR HONOR, IT WAS
16 A PRETEXT TO BRING IN ON IMPEACHING MS. JORRIE.

17 MR. PANISH: NO.

18 MS. BINA: AND IT WAS VERY CUMULATIVE AND GOT
19 BACK IN ALL THIS FINANCIAL STUFF.

20 MR. BOYLE: THAT'S A NICE SPIN ON IT, YOUR HONOR,
21 BUT NOT TRUE.

22 MS. CAHAN: WITH RESPECT TO DR. METZGER, I'M
23 TRYING TO WRITE DOWN A LIST. SO I'VE HEARD CLARIFYING
24 THE DOCTOR SHOPPING. AND JUST TO BE CLEAR, DR. METZGER
25 GAVE TWO DEPOSITIONS, ONE IN THE INSURANCE CASE, WHICH
26 PLAINTIFFS SOUGHT AND OBTAINED AND NOW WAS PRODUCED IN
27 DISCOVERY IN THIS CASE PER THE ORDER OF THE COURT IN
28 THE INSURANCE CASE.

1 SO WE HAVE THAT DEPOSITION, AND BETWEEN
2 THAT DEPOSITION AND THE DEPOSITION HE GAVE IN THIS
3 CASE, HE SAID MICHAEL WAS A DOCTOR SHOPPER SIX TIMES.
4 THAT WAS ONE OF THE THING I COUNTED UP YESTERDAY.

5 MR. PANISH: WHAT'S THE DEFINITION OF IT?

6 MS. CAHAN: IT'S NOT JUST AN ISSUE --

7 THE COURT: COMES AS NO SURPRISE.

8 MS. CAHAN: I'M HAPPY TO CROSS ON THAT. I HEARD
9 THAT, I HEARD DR. STOLL, AND THEN WE WENT INTO A VERY
10 VAGUE CATEGORIZATION OF OTHER EVENTS ON TOURS.

11 THE COURT: SUCH AS --

12 MR. PANISH: OTHER TOURS HE WAS ON, OTHER --
13 "HISTORY."

14 MS. CAHAN: HE WAS ONLY IN AUSTRALIA ON THE
15 "HISTORY" TOUR, AND THAT WAS TESTIFIED TO IN THE
16 DEPOSITION WE WATCHED TO.

17 MR. PANISH: IT WASN'T EXTENSIVELY -- THERE WAS
18 TWO QUESTIONS ON IT.

19 THE COURT: WHAT ARE THEY? "HISTORY" AND --

20 MR. PANISH: "HISTORY," AND HE HAD SOME
21 INVOLVEMENT WITH DISCUSSIONS OF PEOPLE ON THE
22 "DANGEROUS" TOUR.

23 THE COURT: HE WASN'T ON IT BUT WOULD TALK TO
24 PEOPLE?

25 MR. PANISH: YES, YES. I DON'T THINK HE WAS ON
26 IT.

27 MS. BINA: HE TESTIFIED IN THE VIDEO THAT WE
28 WATCHED THAT HE SPOKE TO DR. FINKELSTEIN IN THAT ONE

1 TREATMENT TIME IN BANGKOK.

2 THE COURT: BUT HE WASN'T ACTUALLY THERE.

3 MS. CAHAN: HE DID NOT GO ON THAT TOUR.

4 MR. PANISH: HE GAVE ONE SENTENCE. HE CAN
5 EXPAND. THERE ARE A LOT OF AREAS --

6 MR. PUTNAM: WHAT ARE THEY?

7 THE COURT: WHAT ELSE? JUST --

8 MR. PANISH: WE'RE KIND OF AT A LOSS BECAUSE WE
9 DON'T KNOW EVERYTHING. BUT I'M GOING TO SAY THAT --

10 THE COURT: MR. PANISH, THIS IS THE TIME TO KNOW.
11 WHEN ARE YOU GOING TO KNOW? IT'S THE LAST DAY OF
12 TRIAL.

13 MR. PANISH: FIRST OF ALL, MS. CHANG --

14 MR. BOYLE: NO.

15 I DON'T THINK IT'S GOING TO TAKE THREE
16 HOURS, FIRST OF ALL. I THINK WE'RE GETTING -- WE'RE
17 GOING TO ASK THE QUESTIONS, THEY'LL OBJECT IF THEY
18 THINK IT'S CUMULATIVE. IT'S NOT GOING TO BE -- I MEAN,
19 SHE'S GOING TO ASK DIFFERENT QUESTIONS THAN WERE ASKED
20 AT DEPO.

21 MR. PANISH: ONE OTHER ONE WAS ABOUT THE "EARTH
22 SONG" AND THE MAKING OF THE "EARTH SONG" AND HIS
23 INVOLVEMENT IN THAT. THAT'S ANOTHER THING HE'S GOING
24 TO TALK ABOUT.

25 MS. CAHAN: WHAT IS THAT RELEVANT TO?

26 THE COURT: HOW IS THAT RELEVANT, "EARTH SONG"
27 AND DR. METZGER'S INVOLVEMENT? HOW IS HE INVOLVED IN
28 THAT?

1 MR. PANISH: THEY'RE TRYING TO MAKE OUT THIS
2 THING, AND ALSO ABOUT HIS FAMILY VISITS AND OTHER
3 RELATIONSHIPS WITH MICHAEL JACKSON, AND THEY'RE TRYING
4 TO MAKE HE'S HIS BEST FRIEND AND DOES ALL THIS WITH
5 DOCTORS. WERE THERE ANY QUESTIONS ASKED ABOUT WHETHER
6 HE TRIED TO TAKE ADVANTAGE OF THAT FRIENDSHIP? NO.

7 WERE THERE QUESTIONS ABOUT WHO WENT TO
8 MICHAEL'S HOUSE, WAS IT HIM, WAS IT SOMEONE IN HIS
9 FAMILY? HE HAS A RIGHT TO EXPAND ON THAT BECAUSE
10 YOU'VE THEY'VE BEEN MAKING A BIG DEAL ABOUT THAT IN
11 THIS CASE. I MEAN --

12 MR. PUTNAM: SO "EARTH SONG," YOU ASKED THE
13 QUESTION, AND I HAVEN'T HEARD THE ANSWER. WHAT IS THE
14 RELEVANCE OF "EARTH SONG"?

15 MR. PANISH: MAYBE IT'S "WE ARE THE WORLD."

16 MR. PUTNAM: I'M SORRY. WHAT'S THE RELEVANCE?

17 MR. PANISH: WE'LL SEE WHEN WE GET TO IT.

18 THE COURT: NO. THIS IS THE TIME, MR. PANISH.
19 THIS IS THE TIME.

20 MR. PANISH: CAN I HAVE FIVE MINUTES?

21 THE COURT: IF YOU DON'T KNOW, THEN LET'S BRING
22 MS. CHANG.

23 MR. PANISH: THAT'S FINE.

24 MS. CAHAN: YOUR HONOR, A REPRESENTATION WAS
25 MADE, AS YOU REMEMBER, ON THE REPORTED CALL YESTERDAY
26 BY MR. BOYLE THAT HE WAS NOT PREPARING THIS
27 EXAMINATION, MS. CHANG WAS, BUT EITHER SHE WOULD BE IN
28 COURT THIS MORNING OR HE WOULD BE UP TO SPEED.

1 MR. BOYLE: I DIDN'T KNOW EXACTLY WHAT QUESTIONS
2 I WAS GOING TO BE ASKED.

3 THE COURT: OKAY. WHAT I'VE HEARD, AT MOST HALF,
4 AN HOUR.

5 MR. PANISH: NO, NO.

6 THE COURT: FROM WHAT I'VE HEARD.

7 MR. PANISH: CAN WE GIVE THEM A LIST OF THE OTHER
8 THINGS?

9 MR. PUTNAM: SHE WAS SUPPOSED TO BE HERE TODAY TO
10 LET US KNOW, YOUR HONOR.

11 THE COURT: THAT'S ALL I HEAR.

12 MR. PANISH: CAN WE WAIT FIVE MINUTES TO HAVE
13 MS. CHANG CALL AND LAY OUT FOR YOU MORE OF THE THINGS?

14 THE COURT: IT'S 4:35.

15 MR. PANISH: FOR THE RECORD, SHOULD WE SEND THEM
16 ANY ADDITIONAL AREAS WE INTEND TO INQUIRE, OR NO? I'M
17 ASKING THAT BECAUSE I'M GOING TO MAKE THE RECORD IN THE
18 MORNING.

19 THE COURT: TALK TO THEM, THEY MAY -- THEY MAY
20 AGREE, THEY MAY NOT.

21 MR. PANISH: THEY'RE NOT GOING TO AGREE TO
22 ANYTHING. YOU KNOW THAT. THEY HAVEN'T AGREED TO ONE
23 SINGLE THING YET.

24 MS. BINA: YOUR HONOR, WE HAD THREE STIPULATIONS
25 THIS MORNING.

26 THE COURT: I THINK THE IDEA IS PREPARATION. IF
27 THEY DON'T HAVE TIME BECAUSE YOU DON'T TELL THEM AHEAD
28 OF TIME, HOW CAN THEY PREPARE THEIR EXAMINATION?

1 MR. BOYLE: OKAY. I CAN TELL YOU -- I CAN GIVE
2 YOU MORE NOW, YOUR HONOR. HE'S GOING TO CLARIFY ANY
3 CONFUSION REGARDING THE GERMAN DOCTORS AND ANY
4 DISPARITY BETWEEN DEBBIE ROWE TESTIMONY AND HIS OWN
5 DEPOSITION TESTIMONY.

6 THE COURT: DISCREPANCY BETWEEN ROWE AND --

7 MR. PANISH: BECAUSE YOU LET IN HEARSAY
8 STATEMENTS OF OTHERS THAT SAID THEY THOUGHT HE HAD A
9 DEMEROL PROBLEM. OKAY? NOW I REMEMBER.

10 THE COURT: I DON'T KNOW ABOUT LETTING IN ANY
11 HEARSAY STATEMENTS. THAT MIGHT BE YOUR SPIN, BUT I'M
12 NOT ADMITTING TO LETTING IN ANY HEARSAY STATEMENTS.

13 MR. PANISH: YOU ALLOWED DR. METZGER, OVER OUR
14 OBJECTION, WE ARGUED IT, TO TESTIFY THAT HE HAD
15 INFORMATION FROM MS. ROWE FROM ARNIE KLEIN ABOUT THIS
16 ALLEGED DEMEROL PROBLEM, AND FROM THE MEDIA. OKAY?
17 YOU -- WE OBJECTED, YOU ALLOWED THAT TESTIMONY.

18 THE COURT: YOU'RE TALKING ABOUT IN THE
19 DESIGNATIONS?

20 MR. BOYLE: WE'RE TALKING ABOUT SOMETHING ELSE.
21 HE'S CONFUSED. THAT'S NOT RIGHT.

22 MR. PUTNAM: THAT'S NOT WHAT HAPPENED.

23 MR. PANISH: NO.

24 THE COURT: MR. BOYLE SAYS YOU'RE CONFUSED,
25 MR. PANISH.

26 MR. BOYLE: YOU ARE.

27 DISPARITY IN THE GERMAN ISSUE, IT'S GOING
28 TO TALK ABOUT ISSUES OF ROLES HE WAS NOT ASKED ABOUT IN

1 HIS DEPOSITION REGARDING HIS ROLE ON THE "HISTORY"
2 TOUR.

3 THE COURT: "HIS" MEANING METZGER'S ROLE?

4 MR. BOYLE: CORRECT.

5 HE'S GOING TO TALK ABOUT ISSUES NOT RAISED
6 IN HIS DEPOSITION ABOUT CERTAIN TREATMENTS OF
7 MR. JACKSON OVER THE YEARS.

8 THE COURT: HE'S TREATED HIM 30 YEARS.

9 MS. CAHAN: HOW IS THAT RELEVANT?

10 MR. PANISH: BECAUSE YOU'RE LETTING IN. --

11 THE COURT: MR. PANISH, I'M NOT ADDRESSING YOU,
12 PLEASE. MR. BOYLE IS ON THE JOB. LET HIM FINISH.

13 MR. BOYLE: HE'S GOING TO --

14 THE COURT: THE SPECIFICS. METZGER HAS TREATED
15 HIM 30 YEARS. WHEN YOU SAY TREATMENTS OF METZGER,
16 THAT'S A LOT OF TREATMENTS. YOU NEED TO BE MORE
17 SPECIFIC. ADDICTION? NUTRITION? EXERCISE? WHAT ARE
18 YOU TALKING ABOUT?

19 MR. BOYLE: I'LL FIND OUT ON THAT. ALL I KNOW IS
20 THEY'RE ISSUES NOT ASKED ABOUT IN THE DEPOSITION.

21 MS. CAHAN: BECAUSE THEY'RE IRRELEVANT.

22 MR. PANISH: TO THE MEDICAL RECORDS, YOU ALLOWED
23 THEM TO GO BACK 30 YEARS IN PUTTING ON EVIDENCE OF HIS
24 MEDICAL CONDITION.

25 MR. PUTNAM: I WENT THROUGH EVERY PAGE OF THE
26 MEDICAL RECORDS THAT WERE PROVIDED TO US, YOUR HONOR,
27 AND THAT'S WHAT YOU SAW.

28 MR. PANISH: HE READ THEM IN. THERE WAS NO

1 EXPLANATION. WE CAN ASK, "WHAT DID YOU MEAN BY THIS,"
2 THINGS HE DIDN'T ASK.

3 MR. PUTNAM: IF YOU RECALL, YOUR HONOR, THEY
4 WITHHELD LARGE PORTIONS SAYING IT WASN'T RELEVANT --

5 MR. PANISH: WE DIDN'T --

6 MR. PUTNAM: CAN I FINISH SPEAKING, PLEASE?

7 MR. PANISH: WELL, TELL THE TRUTH.

8 MR. PUTNAM: HOW WOULD YOU KNOW WHAT THE TRUTH
9 IS?

10 MR. PANISH: BECAUSE WE DIDN'T WITHHOLD ANY
11 RECORDS. IT WAS THE ESTATE.

12 THE COURT: MR. PANISH --

13 MR. PANISH: IT WAS THE ESTATE. WE HAVE NO
14 RECORDS.

15 THE COURT: MR. PANISH, YOU'RE TALKING OVER ME
16 AND YOU'RE RAISING YOUR VOICE UNNECESSARILY.

17 MR. PUTNAM: THANK YOU, YOUR HONOR.

18 SO AS YOU RECALL, THEY ONLY HANDED OVER TO
19 US THE RECORDS THAT THEY DETERMINED WERE RELEVANT, THE
20 ESTATE KEPT EVERYTHING ELSE.

21 AS YOU SAW, THEY WERE REPRESENTING HIM IN
22 THIS, AND I READ THROUGH EVERY SINGLE PAGE OF WHAT THEY
23 HANDED OVER TO US, SO IF WHAT THEY'RE TALKING ABOUT ARE
24 TALKING ABOUT MEDICAL RECORDS THAT WERE WITHHELD FROM
25 US, AND WE WERE NEVER ALLOWED TO SEE BEFORE, I THINK
26 THAT'S WHOLLY INAPPROPRIATE, YOUR HONOR.

27 MR. PANISH: WE DIDN'T WITHHOLD ANY RECORDS. WE
28 GOT THEM WHEN THEY GOT THEM. THE ESTATE, WHO IS NOT A

1 PARTY TO THIS, HAS TAKEN DIFFERENT INTERESTS TO US, IS
2 THE ONE THAT WAS THE GATEKEEPER, AND YOU REMEMBER
3 THAT.

4 THE COURT: YES.

5 MR. PANISH: AND THEY WERE COMMUNICATING MORE
6 WITH THEM THAN WITH US, SO WE DIDN'T WITHHOLD
7 ANYTHING.

8 MR. PUTNAM: I NEVER SAID THEY WITHHELD IT, YOUR
9 HONOR.

10 MR. PANISH: HE SAID, "THEY WITHHELD." COME
11 ON.

12 THE COURT: MR. BOYLE --

13 MR. BOYLE: HE'S ALSO GOING TO TALK ABOUT HIS --
14 THINGS NOT ASKED IN THE DEPOSITION REGARDING
15 COMMUNICATIONS HE HAD WITH CEDARS-SINAI REGARDING -- IN
16 2009 REGARDING THE "THIS IS IT" TOUR.

17 MR. PANISH: IF YOU REMEMBER, THAT WAS ASKED --

18 THE COURT: BEFORE MR. JACKSON'S DEATH?

19 MR. BOYLE: YES, BEFORE.

20 MS. CAHAN: IN THE VIDEO HE SAID HE CALLED
21 SOMEBODY AT CEDARS. THIS IS ALL IN THE DEPOSITION. HE
22 CALLED THE HEAD OF THE ANESTHESIOLOGY AT CEDARS AND
23 ASKED HIM IF HE KNEW ANYBODY IN LONDON, AND TALKED TO
24 HIM ABOUT WHAT COULD BE SAFE INTRAVENOUS SLEEP
25 MEDICATIONS AND WHAT WOULDN'T BE. THAT WAS ALL IN THE
26 DEPOSITION.

27 MOST OF IT GOT PLAYED. TO THE EXTENT OTHER
28 STUFF WASN'T PLAYED, WE CERTAINLY DIDN'T SEEK TO KEEP

1 IT OUT. IF PLAINTIFFS DIDN'T CHOOSE TO COUNTER
2 DESIGNATE IT, I DON'T KNOW WHY.

3 MR. BOYLE: IT WASN'T ASKED IN THE DEPOSITION.

4 MR. PANISH: ABOUT THE DISCOID LUPUS, WHAT IT IS,
5 WHAT EFFECTS IT HAS, WHAT'S THE RELATIONSHIP WITH THE
6 PAIN AND HOW IT AFFECTED MR. JACKSON. NONE OF THAT WAS
7 ASKED. WHAT IS DISCOID LUPUS, THAT WASN'T ASKED. HE'S
8 A RHEUMATOLOGIST.

9 MR. PUTNAM: HE TOLD US WHAT IT WAS LAST TIME HE
10 WAS -- NOT TODAY BUT -- HE WENT THROUGH, SAID WHAT IT
11 WAS, WHAT THE PAIN WAS, HE WENT THROUGH ALL OF THAT.

12 THE COURT: I KNOW WE HEARD IT SOMEWHERE.

13 MR. PANISH: IT WAS MS. ROWE THAT TALKED ABOUT
14 IT.

15 MS. CAHAN: I REREAD BOTH DEPOSITIONS IN THIS
16 CASE, AND THE OTHER CASE, AND HIS CRIMINAL TRIAL
17 TESTIMONY FROM THE DR. MURRAY CASE YESTERDAY, SO I'M
18 QUITE FAMILIAR. I KNOW THAT HE TESTIFIED TO THIS IN
19 HIS DEPOSITION, AND I BELIEVE IT WAS PLAYED.

20 MR. PANISH: IT WAS NOT PLAYED, NUMBER 1.
21 NUMBER 2, THE INSURANCE COMPANY DEPOSITION, WE WEREN'T
22 EVEN THERE. WE HAD NO INVOLVEMENT IN THAT. YOU RULED
23 THAT THE INTERESTS WERE COMPLETELY DIFFERENT AND WE
24 COULDN'T PLAY THE TESTIMONY FROM THAT. SO NOW THEY'RE
25 TRYING TO PUT THAT ON US.

26 AND THE CRIMINAL CASE, WE WEREN'T ASKING
27 ANY QUESTIONS THERE, WE WEREN'T THERE. A.E.G. WAS
28 THERE, WE WEREN'T THERE.

1 MR. PUTNAM: YOUR HONOR, WE WERE NOT THERE.
2 THAT'S, AGAIN, MISREPRESENTING.

3 MR. PANISH: YOU WERE THERE.

4 MR. PUTNAM: I WASN'T THERE.

5 MR. PANISH: YOU WERE THERE MANY TIMES.

6 THE COURT: MR. BOYLE?

7 MR. BOYLE: THAT'S IT.

8 MR. PANISH: YOU WERE THERE MANY TIMES.

9 MR. PUTNAM: I WASN'T.

10 MR. PANISH: YOU WERE.

11 MS. CAHAN: SO THE FIRST IS TO CLARIFY THE DOCTOR
12 SHOPPING WITH RESPECT TO THE LIST OF DOCTORS WHO WERE
13 TREATING PHYSICIANS, AND WHAT THAT MIGHT MEAN THAT WE
14 HEARD TODAY; THE SECOND IS ADDRESSING THE DISCREPANCY
15 BETWEEN HIS TESTIMONY AND MS. ROWE'S TESTIMONY WITH
16 RESPECT TO DR. STOLL AND THE GERMAN DOCTORS; THE THIRD
17 IS HIS ROLE ON THE "HISTORY" TOUR, INCLUDING WHEN HE
18 WAS PHYSICALLY PRESENT IN AUSTRALIA AND HIS ROLE ON THE
19 "DANGEROUS" TOUR, THINGS THAT WERE NOT ASKED AT
20 DEPOSITION; THE HISTORY OF MEDICAL -- HIS HISTORY OF
21 MR. JACKSON'S MEDICAL TREATMENT, I DON'T THINK WE'VE
22 GOTTEN AN ANSWER ON THAT EXCEPT FOR DISCOID LUPUS,
23 WHICH WAS ALREADY TESTIFIED TO.

24 THE COURT: WHAT SPECIFIC ABOUT THAT?

25 MR. BOYLE: YOUR HONOR, I'M SORRY. I ASKED
26 MS. CHANG TO SEND ME A LIST, AND THAT'S WHY I WAS
27 UNPREPARED. SHE SENT ME THE LIST, I'M TRYING TO GET
28 HER TO CLARIFY WHAT SHE MEANS ON THE HISTORY OF

1 MEDICAL.

2 MR. PANISH: HIS RELATIONSHIP WITH
3 MICHAEL JACKSON.

4 MS. CAHAN: AND THE COMMUNICATIONS WITH CEDARS IN
5 2009 REGARDING "THIS IS IT." ALSO RELATIONSHIP WITH
6 MR. JACKSON.

7 MR. PANISH: THAT'S GENERALLY IT.

8 MS. CAHAN: WHATEVER THAT MEANS. PERSONAL
9 RELATIONSHIP, I ASSUME, ALTHOUGH THAT WAS ALSO
10 EXTENSIVELY COVERED IN THE DEPOSITION.

11 MR. PUTNAM: HE WAS GREAT WITH HIS CHILDREN, HE
12 SAW HIM WITH HIS CHILDREN --

13 THE COURT: IS THERE SOMETHING MORE THAN THAT.

14 MR. PANISH: YES, THERE IS, AS TO HIS
15 INVOLVEMENT, DID HE GO TO NEVERLAND. THEY'RE MAKING
16 THIS BIG CASE. DID SOMEBODY ELSE VISIT, HIS FAMILY.
17 THEY MADE A BIG DEAL IN THIS CASE ABOUT THAT. YOU'VE
18 ALLOWED TWO WITNESSES TO TESTIFY ABOUT THAT, THEY'VE
19 PLAYED SEVEN DEPOSITIONS ON THOSE ISSUES.

20 THE COURT: ALL RIGHT. YOU CAN ASK ABOUT THAT.

21 MR. BOYLE: THAT'S IT.

22 THE COURT: BUT THAT WHOLE CATEGORY ABOUT MEDICAL
23 TREATMENT OVER 30 YEARS, YOU'VE GOT TO NAIL THAT
24 DOWN.

25 MR. BOYLE: I WILL NAIL THAT DOWN.

26 THE COURT: AND YOU'VE GOT TO COMMUNICATE WITH
27 MS. CAHAN WHAT THAT'S ABOUT. IF SHE HAS SOME
28 OBJECTIONS IN THE MORNING ABOUT IT, I MAY EXCLUDE THAT.

1 BUT FROM WHAT I HEAR, YOU'VE GOT ABOUT AN HOUR THERE.

2 MR. PANISH: WE'LL TRY TO SPEED IT UP AS FAST AS
3 WE CAN.

4 THE COURT: YOU'VE GOT AN HOUR --

5 MR. BOYLE: THAT'S WHAT I KIND OF ALWAYS THOUGHT.
6 I WAS SAYING I WAS HOPING WE CAN FINISH BY LUNCH.

7 THE COURT: ALL RIGHT. SEE YOU TOMORROW.

8 MR. PANISH: OH, YOUR HONOR, WE CAN TAKE THIS UP
9 TOMORROW. WE FILED A DIRECTED VERDICT MOTION.

10 THE COURT: YOU DID, YES.

11 MR. PANISH: SO WE CAN DEAL WITH IT TOMORROW ON
12 THE ISSUE OF THE SUPPORT TO ANY EXTENT, AND WE'LL DEAL
13 WITH THAT, THEY CAN RESPOND, OR --

14 MS. BINA: I DON'T THINK WE'VE SEEN IT YET, SO --

15 MR. PUTNAM: IT WASN'T ACTUALLY FILED.

16 MR. PANISH: IT JUST HAPPENED. WE'LL GIVE YOU A
17 COPY NOW. WE CAN DEAL WITH THAT TOMORROW. I JUST
18 WANTED TO TELL YOU THAT.

19

20 (PROCEEDINGS ADJOURNED TO THURSDAY,
21 SEPTEMBER 19, 2013, AT 10:00 A.M.)

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