

May 5, 2009 BRETT BARNES



7 THE COURT: When you get to the witness

8 stand, please remain standing.

9 Face the clerk over here and raise your

10 right hand.

11

12 BRETT CHRISTOPHER BARNES

13 Having been sworn, testified as follows:

14

15 THE WITNESS: Yes.

16 THE CLERK: Please be seated. State and

17 spell your name for the record.

18 THE WITNESS: My whole name?

19 THE CLERK: Yes, please.

20 THE WITNESS: Okay. It's Brett Christopher

21 Barnes. B-r-e-double t; C-h-r-i-s-t-o-p-h-e-r;

22 B-a-r-n-e-s.

23 THE CLERK: Thank you.

24

25 DIRECT EXAMINATION

26 BY MR. MESEREAU:

27 Q. Mr. Barnes, how old are you?

28 A. I'm 23 years old. 9170

1 Q. Where is your home?

2 A. Melbourne, Australia.

3 Q. And what kind of work do you do?

4 A. Right now I'm unemployed. I actually had to

5 quit my job to come here.

6 Q. Okay. And what job is that?

7 A. I was a roulette dealer at the casino.

8 Q. In Melbourne?

9 A. Yes.

10 Q. Okay. Do you know the fellow seated to my

11 right at counsel table?

12 A. Absolutely.

13 Q. Who is he?

14 A. It's my good friend Michael Jackson.

15 Q. And you say your good friend. How long have

16 you known him?

17 A. Since I was five.

18 Q. How did you meet him?

19 A. I actually -- I was a big -- well, I was as

20 big a fan as you can be at that age, of his, and he

21 was in Melbourne for the "Bad" tour. And so my mom

22 thought it would be a good idea for us to write a

23 letter. My sister wrote the letter, but put it in

24 my name as if I was writing the letter.

25 And we went to meet him -- well, see him at

26 the airport when he touched down. And while we were

27 there, we gave the letter to one of his dancers, and

28 then we left the airport after it was all over. 9171

1 And I'm not sure exactly how much time

2 passed, but after a little while, he -- we received

3 a phone call from him, and ever since then we've

4 been really good friends.

5 Q. And is he a friend of your family?

6 A. Absolutely.

7 Q. Okay. Have you ever visited Neverland

8 Ranch?

9 A. Yes, I have.

10 Q. When did you first visit Neverland Ranch?

11 A. It would have been December of '91.

12 Q. And do you remember why you visited

13 Neverland?

14 A. Because he was there, and it's his house, I

15 guess.

16 Q. Who did you go with?

17 A. My whole family went, my mother and my

18 father and my sister and myself.

19 Q. Did you stay at Neverland?

20 A. Yes, I did.

21 Q. How many times do you think you visited

22 Neverland?

23 A. Too many to remember. Probably -- it would

24 be ten or more, even. More than ten times.

25 Q. And how many times do you think you've

26 stayed over at Neverland?

27 A. Every time.

28 Q. Okay. Did you ever stay in Michael 9172

1 Jackson's room?

2 A. Yes, I have.

3 Q. How many times do you think you've done

4 that?

5 A. Countless as well.

6 Q. And how would you describe his room?

7 A. It's big. It's pretty cool because it's got

8 lots of fun stuff to do there. Video games, such as

9 stuff like that. And it's probably the best as I

10 can describe it.

11 Q. Have you ever stayed in Michael Jackson's
12 bed?

13 A. Yes, I have.

14 Q. How many times do you think you have?

15 A. Countless as well.

16 Q. Has Mr. Jackson ever molested you?

17 A. Absolutely not. And I can tell you right
18 now that if he had, I wouldn't be here right now.

19 Q. Has Mr. Jackson ever touched you in a sexual
20 way?

21 A. Never. I wouldn't stand for it.

22 Q. Has Mr. Jackson ever touched any part of
23 your body in a way that you thought was
24 inappropriate?

25 A. Never. It's not the type of thing that I
26 would stand for.

27 Q. When you stayed in Mr. Jackson's bed --

28 A. Uh-huh. 9173

1 Q. -- on any of those occasions was anyone else
2 there?

3 A. Yeah.

4 Q. Who?

5 A. Well, I can't -- see, I was pretty young at
6 the time, so I can't remember exactly. But I know
7 my sister as being there, his cousins have been
8 there. And -- yeah, Macaulay has actually been
9 there as well, Macaulay Culkin. So there's been a
10 few people.

11 Q. What is the longest period you think you've
12 ever stayed at Neverland?

13 A. I couldn't tell you. I don't remember
14 really.

15 Q. Would it be a week, or three days?

16 A. Longer than that.

17 Q. Longer than that?

18 A. Yeah. It would probably be a couple weeks,

19 maybe a month at Neverland at one time.

20 Q. And what do you recall doing at Neverland

21 during the times you stayed there?

22 A. Playing arcade games. Going

23 ATV/motorbike-riding around the property. Going on

24 amusement park rides. And watching plenty of

25 movies, plenty of cartoons. Eating very good food.

26 Q. Do you consider Michael Jackson to be your

27 family friend?

28 A. Absolutely. 9174

1 Q. Do you stay in communication with him?

2 A. Absolutely.

3 Q. And how do you typically communicate with

4 Michael Jackson?

5 A. Like he's a member of the family. Just

6 always had warm conversations, reminisce about old

7 times.

8 Q. Are you familiar with a Jacuzzi at

9 Neverland?

10 A. Yeah.

11 Q. Ever been in the Jacuzzi?

12 A. Yes, I have.

13 Q. Do you recall Michael Jackson ever being in

14 the Jacuzzi with you?

15 A. I don't recall. He possibly could have, but

16 I don't really remember.

17 Q. Do you recall ever taking a shower with

18 Michael Jackson?

19 A. Never.

20 Q. Now, have you visited Neverland without your
21 parents being with you?

22 A. Yes.

23 Q. And how many times do you think you've done
24 that?

25 A. It wouldn't be that many. But I couldn't
26 give you a ballpark figure even.

27 Q. Now, have you followed this case in the
28 media? 9175

1 A. No, I haven't.

2 Q. Okay.

3 A. I chose not to.

4 Q. Are you aware of any allegations being made
5 that Mr. Jackson inappropriately touched you when
6 you were with him?

7 A. Yes, I am. And I'm very mad about that.

8 Q. You're mad about it?

9 A. Yeah.

10 Q. Why?

11 A. Because it's untrue, and they're putting my
12 name through the dirt. And I'm really, really,
13 really not happy about it.

14 MR. MESEREAU: No further questions.

15

16 CROSS-EXAMINATION

17 BY MR. ZONEN:

18 Q. Mr. Barnes, do you consider it disgraceful
19 to having been molested?

20 A. Absolutely.

21 Q. All right. And why would it be a disgrace
22 for somebody to have been molested?

23 A. Well, a child is --

24 MR. MESEREAU: Objection. This calls for

25 speculation; foundation.

26 THE COURT: Sustained.

27 Q. BY MR. ZONEN: How old were you when you

28 first started sharing a bed with Michael Jackson? 9176

1 A. Couldn't tell you. Don't really remember.

2 Q. How old were you when you first started

3 visiting Michael Jackson?

4 A. When I first started visiting, I was nine.

5 Q. And you visited Neverland with whom?

6 A. With my parents.

7 Q. Both your mother and your father?

8 A. And my sister as well.

9 Q. Your sister as well. And how long did you

10 stay at Neverland?

11 A. The first time?

12 Q. Yes.

13 A. I don't exactly remember.

14 Q. Did you stay over the week?

15 A. Yeah.

16 Q. Did you then visit Neverland on a regular

17 basis thereafter?

18 A. I wouldn't say regular, but, yeah, it was

19 quite frequent.

20 Q. Did you visit Neverland at least once a year

21 thereafter?

22 A. Yeah.

23 Q. And when you visited Neverland, would you

24 always stay with Michael Jackson?

25 A. Yeah, most of the time.

26 Q. All right. Now, I asked you, I believe, the

27 age the first time you went. Did you answer that

28 question? 9177

1 A. Yeah.

2 Q. And you said what? About nine?

3 A. Yeah.

4 Q. Okay. And then you would continue to go

5 each year thereafter?

6 A. Yeah.

7 Q. Did you sometimes go more than once a year?

8 A. Yeah.

9 Q. And would you stay for longer than one week

10 at a time?

11 A. Sometimes, I guess, yeah.

12 Q. Were there occasions where you would stay

13 two or even three weeks?

14 A. I was young at the time, so I don't really

15 remember the time frames.

16 Q. Okay.

17 A. So it would be purely speculation.

18 Q. Would it have been summer vacation; that is,

19 your summer vacation in Australia?

20 A. I really couldn't tell you.

21 Q. Did you ever go to Neverland without a

22 parent going with you?

23 A. Yes.

24 Q. So sometimes you would fly all the way from

25 Australia to Neverland, is that right, by yourself?

26 A. Absolutely.

27 Q. Were you much older than nine years old when

28 you did that? 9178

1 A. I couldn't tell you. But -- well, right --

2 yeah, I was older than nine.

3 Q. Did you visit in your tenth year and your

4 eleventh year and your twelfth year as well?

5 A. I really couldn't tell you that.

6 Q. Did you ever visit in your thirteenth year

7 and your fourteenth year?

8 A. I don't remember much about ages.

9 Q. You can't tell us how old you were when you

10 stopped visiting Neverland?

11 A. I still -- I continue to visit to this day.

12 Q. Do you still sleep with Michael Jackson?

13 A. No, I don't.

14 Q. How old were you when you stopped sleeping

15 with Michael Jackson?

16 A. I couldn't tell you that.

17 Q. Why don't you still sleep with Michael

18 Jackson?

19 A. Well, he's got kids now.

20 Q. And?

21 A. And I -- it would be purely speculation if I

22 told you. I could not answer that knowingly,

23 like -- it's just --

24 Q. But during the years that you were visiting

25 Michael Jackson at Neverland, you never stayed

26 anyplace but in his room; is that correct?

27 A. I couldn't tell you.

28 Q. You're telling us that you don't remember if 9179

1 you stayed in a guest lodge by yourself or with your

2 mother or if you shared a bed with Michael Jackson?

3 A. I don't remember staying in the guest lodge

4 by myself.

5 Q. But it's true, sir, that you stayed

6 virtually the entire time in his bedroom; is that

7 right?

8 A. Yeah.

9 Q. And during that time nobody else stayed in
10 the bedroom with you other than you and Michael
11 Jackson; is that true?

12 A. No, that's not true.

13 Q. On what percentage of the occasions that you
14 visited Michael Jackson was there somebody else
15 staying in that room?

16 A. I couldn't tell you.

17 Q. Can you tell us the names of the people who
18 stayed in the room with you?

19 A. My sister. Macaulay Culkin. There was
20 Levon and Elijah. There was Frank, Eddie, and
21 Dominick.

22 Q. Was Frank --

23 A. Prince as well.

24 MR. MESEREAU: Objection, he hasn't finished
25 the question.

26 THE WITNESS: His son Prince as well.

27 Q. BY MR. ZONEN: Prince? Prince is how old
28 now? 9180

1 A. I'm not quite sure.

2 Q. About what, seven?

3 A. Yeah. I guess so.

4 Q. And how old was Prince when he stayed in the
5 room with you and Michael Jackson?

6 A. I think he was three.

7 Q. All right. So it was about four years ago?

8 A. Yeah.

9 Q. So you stayed in the room with Michael
10 Jackson when you were 18 years old?

11 A. Yeah.

12 Q. You're 22 now?

13 A. 23. 23.

14 Q. So you were 19 years old?

15 A. Yeah, I guess.

16 Q. Did you share a bed with him at that time?

17 A. Yeah, I did.

18 Q. You did. Have you been sharing a bed with

19 him consistently from age nine until age 19?

20 A. What do you mean by "consistent"?

21 Q. Well, in all the times that you visit,

22 predominately do you stay in his room, in his bed?

23 A. Yeah.

24 Q. Did you do it when you were ten years old as

25 well?

26 A. Yeah.

27 Q. Did you do it when you were 11 years old as

28 well? 9181

1 A. Yes.

2 Q. Most of the times you did it, there was

3 nobody else in the room; is that correct?

4 A. I guess you could say that.

5 Q. Because Macaulay Culkin was only in the room

6 with you once or twice; isn't that true?

7 A. I couldn't tell you how many times.

8 Q. Could he have been in the room 20 or 30

9 times?

10 A. Probably not.

11 Q. So really it's closer to once or twice; is

12 that right?

13 A. Yeah, I guess so.

14 Q. All right. And your sister stayed there the

15 first time you visited; is that right?

16 A. Not just the first time.

17 Q. Did she stay there the second time?

18 A. I -- look, I don't really remember.

19 Q. Did your sister share a bed with you and

20 Michael Jackson ever?

21 A. I can't recall.

22 Q. You can't recall if your sister shared a

23 bed?

24 A. I can't remember.

25 Q. When did your sister stop visiting

26 Neverland?

27 A. She still visits to this day.

28 Q. Does she still share a bed with you and 9182

1 Michael Jackson?

2 A. No.

3 Q. When was the last time your sister shared a

4 bed with you and Michael Jackson?

5 A. I couldn't tell you. I don't know the exact

6 period of time.

7 Q. Could you have been 15 or 16 years old?

8 A. I couldn't tell you.

9 Q. Could you have been ten?

10 A. I couldn't tell.

11 Q. Mr. Barnes, the best you can tell us about

12 when your sister last shared a bed with you and

13 Michael Jackson, you have no idea?

14 A. It's not something that I think of. What --

15 why would I try and remember that?

16 Q. Is there --

17 A. Why would I think about it?

18 Q. Is there any other 35-year-old man that you

19 slept with when you were ten years old besides

20 Michael Jackson?

21 A. Yes.

22 Q. Who?

23 A. My uncle.

24 Q. All right. A family member.

25 A. Yeah.

26 Q. Who else?

27 A. That would probably be it. I can't recall

28 any others. 9183

1 Q. All right. Now, with whom do you live at

2 this time?

3 A. My parents and my sister.

4 Q. And both your parents?

5 A. Yeah.

6 Q. And that's in Australia?

7 A. Yes.

8 Q. All right. Did your father ever visit

9 Neverland with you?

10 A. Yes, he did.

11 Q. When your father visited Neverland with you,

12 where did you stay?

13 A. Both in the guesthouse and both with him.

14 Q. Both in the guesthouse and with Mr. Jackson?

15 A. I stayed with Mr. Jackson, yeah.

16 Q. Did you ever have a conversation with your

17 father about the propriety of sharing a bed with a

18 35-year-old man?

19 A. Not that I recall.

20 Q. Did you ever have a conversation with your

21 mother about that, whether that was a wise thing to

22 do, to share a bed with a 35-year-old man?

23 A. Not that I recall.

24 Q. Did he ever show you any sexually explicit

25 material?

26 A. Absolutely not.

27 MR. MESEREAU: Objection; beyond the scope.

28 THE COURT: Overruled. The answer is, 9184

1 "Absolutely not."

2 Q. BY MR. ZONEN: Were you aware that he

3 possessed sexually explicit material?

4 A. No.

5 Q. Did you ever travel with Michael Jackson

6 anywhere?

7 A. Yes, I did.

8 Q. Where?

9 A. South America, North America, Africa, and

10 Europe.

11 Q. On those occasions --

12 A. And Australia as well, I'm sorry.

13 Q. On those occasions did you share a bed with

14 him?

15 A. Yes.

16 Q. Were any other people present while you were

17 in the room with him?

18 A. I don't recall. I can't -- I can't

19 remember.

20 Q. Was your mother with you when you traveled

21 through South America?

22 A. I think so.

23 Q. You think so?

24 A. Look, when I was young, I wasn't really

25 thinking about this sort of stuff. I wasn't trying

26 to retain in my memory this sort of stuff. And

27 what's sad is that I traveled to all these countries

28 and I really don't remember much of them. So it's 9185

1 all sort of -- it's all sort of meshed into one.

2 Q. Mr. Barnes, how old were you when you

3 traveled through South America with Mr. Jackson?

4 A. To tell the truth, I cannot remember.

5 Q. You can't tell whether you were 19 or 10?

6 A. Well, I wasn't 19. It was in my middle

7 teens, maybe -- no, it would have been in my

8 early -- early teens.

9 Q. 12?

10 A. It could have been possibly 12.

11 Q. So you were 12 or 13. You don't know if

12 your mother was there with you when you traveled

13 through South America?

14 A. She was, actually.

15 Q. In fact, you traveled quite a bit with Mr.

16 Jackson without your mother being present; isn't

17 that true?

18 A. No.

19 Q. Did you travel through North America with

20 Mr. Jackson without your mother?

21 A. Yes.

22 Q. And in how many cities through North America

23 did you go without your mother and Mr. Jackson?

24 A. I'm not too sure.

25 Q. Six or seven, perhaps eight?

26 A. I couldn't tell you.

27 Q. Was he performing at the time, Mr. Jackson?

28 A. For which? 9186

1 Q. On the trip through North America, was he

2 performing?

3 A. No, he wasn't.

4 Q. Did you travel with him when he was

5 performing?

6 A. Yes.

7 Q. Was that -- in South America, was he

8 performing then?

9 A. Yes.

10 Q. And every night after the performance, you

11 would go with him to his room; is that correct?

12 A. Yes.

13 Q. And you stayed in his bed that night?

14 A. Yep.

15 Q. In North America when you traveled, your

16 mother was not there?

17 A. Not -- well, see, she went to some cities,

18 like we all went to some cities, and sometimes we --

19 I went. Like on some of the occasions when I was

20 gone, coming over here alone, we'd go around. But

21 sometimes when my whole family was there, we'd go

22 around, too.

23 Q. How many times did you come to the United

24 States by yourself?

25 A. Probably only two or three maybe.

26 Q. And did Mr. Jackson arrange for that to

27 happen?

28 A. He arranged for all of our trips. 9187

1 Q. So all of the transportation for you and

2 your family from Australia to Neverland; is that

3 correct?

4 A. Yeah.

5 Q. And then all the travels that you did

6 through the United States and through South America?

7 A. Uh-huh. I was very fortunate.

8 Q. I'm sorry?

9 A. I was very fortunate.

10 Q. When you slept with Mr. Jackson, what

11 generally did you wear?

12 A. Sorry?

13 Q. When you slept with Mr. Jackson in the same

14 bed, what would you wear?

15 A. Pajama pants, T-shirt, pajama top sometimes.

16 Q. Always?

17 A. Well, always pajama pants, always a T-shirt.

18 Q. And Mr. Jackson?

19 A. Exactly the same thing.

20 Q. Always pajamas and pajama bottoms?

21 A. Uh-huh.

22 Q. I'd like to show you a series of photographs

23 and tell me if you recognize them, the people in

24 this photo. Let's start with 893.

25 A. Yep.

26 Q. Who's that?

27 A. That's me and him.

28 Q. Are these Polaroids? 9188

1 A. They look so.

2 Q. Do you remember taking these pictures?

3 A. Not at all.

4 Q. Do you remember where you were?

5 A. Not at all.

6 Q. Can you tell us about how old you were?

7 A. Probably about 11 maybe, 10.

8 Q. I notice you've changed your hairstyle since

9 then, haven't you?

10 A. Yes.

11 Q. You were about nine or ten.

12 So this was early on in your meeting with

13 Mr. Jackson; is that right?

14 A. Yeah, I would say so.

15 Q. All right. This is 893, and that has two

16 photos on the front, and two photos on the back; is

17 that right?

18 A. Yep.

19 Q. And that's you in the two photos in the back

20 as well?

21 A. Yep.

22 Q. All right. 892, is that you as well?

23 A. Yep.

24 Q. And Mr. Jackson?

25 A. Yep. Yep.

26 Q. And the two on the back? Do these appear to

27 have been taken at the same time?

28 A. These? 9189

1 Q. Yes.

2 A. Yeah, I'd say so.

3 Q. 891, who is that?

4 A. That's Michael Jackson.

5 Q. Did you take those pictures?

6 A. Couldn't tell you.

7 Q. They appear to have been taken at the same

8 time; no?

9 A. Possibly.

10 Q. All right. If I were to tell you that they

11 were all found together, would that suggest that

12 they were all taken at the same time?

13 MR. MESEREAU: Objection; calls for

14 speculation.

15 THE COURT: Sustained.

16 Q. BY MR. ZONEN: Turn it over, if you would,

17 to the back side. Three more pictures on the back.

18 What are they?

19 A. Of Michael Jackson.

20 Q. Do you remember those pictures?

21 A. Not at all.

22 Q. Does that look familiar to you?

23 A. No.

24 Q. Mr. Barnes, did you take those photographs?

25 A. I couldn't tell you. I don't -- I couldn't

26 tell you, no.

27 Q. 890, two pictures on the front. Would you

28 take a look at those two pictures? 9190

1 A. Uh-huh.

2 Q. One of those is you; is that right?

3 A. Yes, it is.

4 Q. You appear to be in bed.

5 A. Uh-huh.

6 Q. The other picture is what?

7 A. Appears to be Michael Jackson.

8 Q. And he's in his underwear; is that right?

9 A. Yes, it is.

10 Q. 889, is that you?

11 A. Yes, it is.

12 Q. And anything on the back?

13 A. Yep.

14 Q. Is that you as well?

15 A. Yes, it is.

16 Q. All right. Do you remember those pictures?

17 A. Don't remember taking them, but I can tell

18 you where they were taken.

19 Q. Where?

20 A. They were taken at the ranch.

21 Q. They were taken at the ranch?

22 A. In a photo booth.

23 Q. There's a photo booth at the ranch on that

24 one there?

25 A. Yep.

26 Q. Do you recognize the background on any of
27 the other photographs?

28 A. On these? 9191

1 Q. Yes.

2 A. No, I don't. No.

3 Q. Are all of these photographs accurate

4 photographs of the subjects depicted within? In

5 other words, the photographs of Mr. Jackson really

6 are Mr. Jackson and the photographs of you really

7 are you?

8 A. That one's a bit sketchy, but the rest,

9 yeah.

10 Q. The one in his underwear?

11 A. Yeah.

12 Q. You're not sure that's him?

13 A. Well, you can't really see the face

14 properly.

15 Q. Mr. Barnes, before coming from Australia,

16 did you speak with anybody about your testimony?

17 A. No.

18 Q. They simply flew you from Australia to

19 California?

20 A. Well, they explained that I'd be a witness.

21 Q. And then they interviewed you after you got

22 here?

23 A. The interview?

24 Q. Yes. You had an interview with an

25 investigator --

26 A. Yes.

27 Q. -- who works for Mr. Mesereau; is that

28 right? 9192

1 A. Yes.

2 Q. And that interview took place after you got

3 to California?

4 A. Yes, it did.

5 Q. So they had no way of knowing what you were

6 going to say while you were still in Australia?

7 A. No.

8 Q. Because they never talked with you at all?

9 A. Not about the case, not being a witness. I

10 signed a declaration.

11 Q. You signed a declaration from where?

12 A. From -- I was at home. Melbourne,

13 Australia.

14 Q. Melbourne, Australia?

15 A. Yeah.

16 Q. All right. So somebody wrote a declaration

17 and they sent it to you, is that right, in

18 Australia?

19 A. Faxed it.

20 Q. I'm sorry?

21 A. Faxed it.

22 Q. They faxed it you. But you had to have

23 talked to somebody to tell them what to put in the

24 declaration, didn't you do that?

25 A. Yes, I did.

26 Q. So you did talk with somebody while you were

27 in Australia?

28 A. Yes. 9193

1 Q. Who was the person that you talked with

2 while you were in Australia?

3 A. It was Brian Oxman and some -- I think it

4 might be Scott Ross as well. But I'm not exactly

5 sure.

6 Q. And then they prepared a declaration, they

7 sent it to you; is that correct?

8 A. That's correct.

9 MR. ZONEN: Madam Clerk, could I have

10 another sticker that says....

11 Q. Let me show you 894, four photographs on it.

12 MR. MESEREAU: Excuse me, Counsel. Are

13 these what I saw before? Are these what you showed

14 me earlier?

15 MR. ZONEN: Not the first set. Let me show

16 you.

17 Q. 893, would you take a look at that, please,

18 both sides of that?

19 A. Yep.

20 Q. That contains a total of six pictures, two

21 on one side, four on the back; is that right?

22 A. That's correct.

23 Q. And those are all pictures of you, one

24 picture of Mr. Jackson?

25 A. Correct.

26 Q. 894?

27 A. Uh-huh.

28 Q. That's who? 9194

1 A. Michael Jackson.

2 Q. All four of those pictures?

3 A. Correct.

4 Q. Do you recognize the location?

5 A. No, I don't.

6 Q. You have no recollection of that?

7 A. No.

8 Q. Could that have been a hotel you stayed in?

9 A. Quite possibly.

10 Q. All right. 896?

11 A. Uh-huh.

12 Q. Does any of that look familiar to you?

13 A. Is this New York? I don't remember any of

14 these pictures.

15 Q. Do you remember any of those pictures being

16 taken?

17 A. Not at all.

18 Q. And your age, approximately, in those

19 photographs?

20 A. I would have absolutely no idea.

21 Q. You would have no idea at all?

22 A. Well, these ones of me?

23 Q. Yes. You.

24 A. Probably about the same age.

25 Q. Okay. Does it appear that those photographs

26 were taken about the same time?

27 A. Purely speculation, but, yes.

28 Q. Is your hairstyle the same as -- 9195

1 MR. MESEREAU: Objection; move to strike.

2 THE COURT: Stricken. Speculation.

3 Q. BY MR. ZONEN: Based on your familiarity

4 with yourself, does it appear that you are about the

5 same age in each of the photographs so far shown to

6 you?

7 A. Yes.

8 Q. And all those photographs are you with

9 Michael Jackson in a room someplace; is that right?

10 A. Yes.

11 Q. You have no recollection of when those

12 photographs were taken?

13 A. Absolutely not.

14 Q. And the pictures of Mr. Jackson, you have no
15 recollection of actually taking those yourself?

16 A. Absolutely not.

17 Q. Were there many occasions, when you were ten
18 years old, that you traveled by yourself with Mr.
19 Jackson?

20 A. I wouldn't say -- well, I'm not sure I
21 understand the question.

22 Q. Did you travel more than one trip with Mr.
23 Jackson when you were about the age of 10 by
24 yourself?

25 A. Do you mean from my home?

26 Q. Yes.

27 A. Around?

28 I can't really remember. I can't remember 9196

1 how many times. It might have been one, might have
2 been two. I can't really tell you.

3 Q. On the occasions when you traveled with Mr.
4 Jackson and he was on tour, did you go to all of the
5 concerts?

6 A. I'm not sure.

7 Q. Was there ever a woman traveling with Mr.
8 Jackson while you were traveling with him?

9 A. A woman?

10 Q. Yes.

11 A. I'm not -- what do you mean, though?

12 Q. Somebody with whom he was close to. I don't
13 mean an assistant. I mean a friend or a girlfriend.

14 A. Not that I recall.

15 Q. At the time that you were traveling with him
16 in South America, was he ever traveling with a
17 woman? And I don't mean an assistant. A

18 girlfriend.

19 MR. MESEREAU: Object as beyond the scope.

20 THE COURT: Sustained.

21 Q. BY MR. ZONEN: Were there ever any other

22 people traveling with you as part of your unit?

23 A. Where?

24 Q. When you traveled.

25 A. Sometimes.

26 Q. Did any of them sleep in the same room with

27 you and Mr. Jackson?

28 A. I can't really recall. I don't remember. 9197

1 Q. Did anyone ever share a bed with you and Mr.

2 Jackson, where there were three of you in the same

3 bed together?

4 A. Can't really remember.

5 Q. Did your sister ever sleep with you in the

6 same bed and Mr. Jackson?

7 A. Unfortunately, I can't really remember that

8 either.

9 Q. Do you know Wade Robson?

10 A. Yes.

11 Q. How well do you know Wade Robson?

12 A. Not very.

13 Q. Have you kept up some kind of friendship

14 with Mr. Robson?

15 A. Nope.

16 Q. Is that a "no"?

17 A. That's a "no."

18 Q. When was the last time you spoke with Mr.

19 Robson?

20 A. Today.

21 Q. All right. Today you saw him. When was the

22 last time prior to today?

23 A. Yesterday.

24 Q. Okay. So you've been staying at Neverland,

25 have you?

26 A. Yes.

27 Q. Did you have an opportunity to talk with Mr.

28 Robson? 9198

1 A. I had an opportunity, yeah. Yeah.

2 Q. And did you speak with Mr. Robson?

3 A. Yes.

4 Q. Did you discuss your testimony?

5 A. Absolutely not.

6 Q. And why not?

7 A. Because it was explained to us that we were

8 not allowed to.

9 Q. Who was that who told you that?

10 A. The lawyers did.

11 Q. Did they say why you weren't allowed to?

12 A. Isn't it against the law?

13 Q. Is that what they told you, it was illegal

14 to talk with each other?

15 A. No, they didn't. They just explained that

16 it wasn't -- they just said, "Don't talk about the

17 case."

18 Q. Were you aware of Wade Robson spending long

19 periods of time with Michael Jackson?

20 MR. MESEREAU: Objection. Beyond the scope;

21 relevance.

22 THE COURT: Sustained.

23 Q. BY MR. ZONEN: Did Michael Jackson ever

24 speak to you about other boys who spent nights with

25 him in his room?

26 MR. MESEREAU: Objection. Beyond the scope;

27 relevance; foundation.

28 THE COURT: Sustained. 9199

1 Q. BY MR. ZONEN: Did you ever talk with

2 Michael Jackson about the propriety of sharing a bed

3 with him?

4 MR. MESEREAU: Objection. Beyond the scope;

5 foundation; and relevance.

6 THE COURT: Overruled.

7 Q. BY MR. ZONEN: Go ahead and answer the

8 question.

9 A. Not that I recall.

10 Q. At no time did you ever have a conversation

11 with Michael Jackson where the subject of the

12 conversation was whether or not you should be

13 sharing a bed with him?

14 A. Not that I recall.

15 Q. Did he ever tell you that you were like

16 family to him?

17 A. All the time.

18 Q. All the time. Did he ever tell you that you

19 should trust him?

20 A. Yeah.

21 Q. Did he ever tell you that he was like a

22 father to you?

23 A. He may have, yes.

24 Q. Did he ever tell you that he considered you

25 to be like a son to him?

26 A. Yes.

27 Q. Was that something he frequently said to

28 you? 9200

1 A. Not frequently.

2 Q. Was that something that he frequently said

3 to you during the early stages of your relationship

4 when you were about age eight?

5 A. Never met him when I was age eight.

6 Q. You were about nine?

7 A. Yeah.

8 Q. Okay. So how long after you had begun

9 visiting Neverland did Mr. Jackson speak to you in

10 such terms, tell you you were like family to him or

11 like a son to him?

12 A. I couldn't tell you.

13 Q. Did he ever have a conversation with your

14 mother of that nature, tell your mother that he

15 considered her to be like family to him as well?

16 A. Wouldn't have a clue.

17 Q. That was never done in your presence?

18 A. Possibly. I don't remember.

19 Q. Did your mother ever have a conversation

20 with him about anything in your presence?

21 A. Quite possibly.

22 Q. Is it the case that when you were kids and

23 running around Neverland, on occasion you would get

24 fairly rowdy?

25 A. Nope.

26 Q. You were always fairly well disciplined and

27 behaved?

28 A. I was brought up right. 9201

1 Q. How about the other kids who were at

2 Neverland while you were there?

3 A. As far as I remember, yeah, we were all

4 pretty -- there were a couple maybe, but I never

5 really saw an outbreak.

6 Q. You never saw what?

7 A. An outbreak.

8 Q. An outbreak?

9 Who were the other boys who were there about

10 the time that you were there?

11 A. I saw Mac there, Macaulay Culkin. His --

12 Levon and Elijah. Frank, Eddie, Dominick --

13 Q. How old was Frank at the time?

14 MR. MESEREAU: Objection. He hasn't

15 finished his answer yet, Your Honor.

16 THE COURT: Sustained.

17 Q. BY MR. ZONEN: Go ahead.

18 A. Aldo. Marie Nicole. My sister, of course.

19 That's all I really remember.

20 Q. Of the ones that you've mentioned, how many

21 of them shared Michael Jackson's bedroom while you

22 were there?

23 A. All of them have.

24 Q. Did -- all of them?

25 A. I'm pretty sure.

26 Q. On how many nights do you think, all at the

27 same time?

28 A. Not at the same time, because like one trip 9202

1 we'd see -- we saw Mac, and the other trips we saw

2 everyone else.

3 Q. And would they share the same bed with you

4 and Mr. Jackson?

5 A. I can't honestly recall that.

6 Q. Do you remember any of those people who you

7 just mentioned sharing a bed with Mr. Jackson in

8 your presence?

9 A. Yeah.

10 Q. Who?

11 A. Mac.

12 Q. Macaulay Culkin?

13 A. Yeah.

14 Q. Who else?

15 A. Frank.

16 Q. Frank Cascio?

17 A. Yeah.

18 Q. How old was Frank Cascio at the time?

19 MR. MESEREAU: Objection. He hasn't

20 finished his answer yet.

21 THE WITNESS: Eddie.

22 THE COURT: I can't tell if he has or not.

23 Have you finished your answer?

24 THE WITNESS: No, I haven't.

25 THE COURT: Go ahead.

26 THE WITNESS: Eddie. That's probably --

27 that's all I can recall.

28 Q. BY MR. ZONEN: "Eddie" is Eddie who? 9203

1 A. Cascio.

2 Q. That's Frank's brother?

3 A. Yeah.

4 Q. How old was Frank at that time?

5 A. Wouldn't be able to tell you.

6 Q. Well, was he a child?

7 A. I never knew him as a child. He's -- he's

8 older than me, so....

9 Q. You only know Frank Cascio as an adult?

10 A. No. He's like a year older, two years older

11 than me.

12 Q. You said you never knew him as a child?

13 A. Well, as a child, I consider to be under the

14 age of 10.

15 Q. How about as a young teenager?

16 A. Yeah.

17 Q. So you saw him there as a young teenager?

18 A. Yeah.

19 Q. Would he share Michael Jackson's bed as
20 well?

21 A. If I recall correctly, yeah.

22 Q. And Eddie, how old was Eddie during that
23 time?

24 A. Like he's -- it would have been a young
25 teenager as well.

26 Q. What's the longest period of time that any
27 of those people stayed in Michael Jackson's room
28 while you were there? In other words, how many 9204

1 consecutive days did that happen?

2 A. Can't recall properly.

3 Q. Did Michael Jackson ever tell you that he
4 loved you?

5 A. Yeah, all the time.

6 Q. Did he ever touch you?

7 A. In what manner?

8 Q. Did he ever kiss you?

9 A. On the cheek, on the forehead, yeah.

10 Q. Often?

11 A. I wouldn't say often, but, yeah. I've --

12 I can't really remember these things. It's not

13 something that would -- you know, I would try to
14 remember.

15 MR. ZONEN: I have no further questions.

16 MR. MESEREAU: I have no further questions,

17 Your Honor.

18 THE COURT: All right. Thank you. You may
19 step down.

20 I think we'll start the next witness

21 tomorrow.

22 (To the jury) I'll see you tomorrow at

23 8:30. Remember the admonition. Have a good

24 evening.

25 (The proceedings adjourned at 2:30 p.m.)

26 --o0o--

27

28 9205

1 REPORTER'S CERTIFICATE

2

3

4 THE PEOPLE OF THE STATE OF)

5 CALIFORNIA,)

6 Plaintiff,)

7 -vs-) No. 1133603

8 MICHAEL JOE JACKSON,)

9 Defendant.)

10

11

12 I, MICHELE MATTSON McNEIL, RPR, CRR, CSR

13 #3304, Official Court Reporter, do hereby certify:

14 That the foregoing pages 9016 through 9205

15 contain a true and correct transcript of the

16 proceedings had in the within and above-entitled

17 matter as by me taken down in shorthand writing at

18 said proceedings on May 5, 2005, and thereafter

19 reduced to typewriting by computer-aided

20 transcription under my direction.

21 DATED: Santa Maria, California,

22 May 5, 2005.

23

24

25

26

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

28 OFFICIAL COURT REPORTER 9206