



THE COURT: Call your next witness.

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

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

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

THE COURT: All right. Thank you.

Come forward, please. When you get to the 9812 witness stand, please remain standing. Face the clerk here and raise your right hand.

MACAULAY CULKIN

Having been sworn, testified as follows:

THE WITNESS: I do.

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

THE WITNESS: Macaulay Culkin.

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

THE CLERK: Thank you.

DIRECT EXAMINATION

BY MR. MESEREAU:

Q. Good morning, Mr. Culkin.

A. Good morning.

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

A. That is correct.

Q. Would you please summarize your career?

A. Summarize my career?

Q. Yes, please.

A. I started working at the age of four doing stage and things like that. And done a number of things; films, things like that. Kind of worked till I was about 14, took a break there for a while, and just started working again recently. 9813

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

A. Yes, I do.

Q. Who is that?

A. That's Michael Jackson.

Q. Is he a friend of yours?

A. Yes, he is.

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

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

Q. And how did you meet him?

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

Q. And he's still your friend?

A. Yes, he is.

Q. When did you last talk to him?

A. I talked to him about three days ago.

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

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

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

A. Yes, we did. 9814

Q. Did you hang out?

A. Yes, we did.

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

A. I think the first trip we were there for

about three or four days. It was me and my younger brother and my mother and my father.

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

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

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

A. About a year or so ago.

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

A. Yes, I have.

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

A. Yes.

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

A. Uh-huh.

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

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

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

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

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

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

A. Yes.

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

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

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

A. About the same amount of times. When I was younger they were there virtually every time I was 9816 there.

Q. And you have a sister?

A. Yes, I do.

Q. And did she visit?

A. I have two.

Q. Hmm?

A. I have two of them.

Q. Did they visit Neverland as well?

A. Yes, they have.

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

A. Not as often, just because they were really never on the West Coast as often as I was. But whenever they were in town and I was going, they would love to go as well.

Q. Have you seen Michael Jackson outside of Neverland?

A. Yes.

Q. Where have you seen him?

A. Whenever. I'd be staying at a hotel and He'd come and pick me and my brothers up, and we'd sneak into a movie theater like in the middle of the night -- in the middle of, like, you know, a movie, because that was the only way you could really see an actual movie in an actual movie theater with him. Just a number of occasions.

Q. Have you seen Michael in New York?

A. Yes, I have. 9817

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

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

Something like that.

Q. How about in Los Angeles?

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

Q. Other than Neverland, New York and Los Angeles, have you seen Michael Jackson anywhere else?

A. Yeah. He was in London when I was out there doing a play. And he was out there for, I don't know, maybe a week or so. We hung out two times, three times.

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

A. Hung out with his kids. We had -- we had a dinner with a group of people, most of whom I had not met before, but just -- it was a nice, casual, sit-down dinner. And just saw the kids, things like that. I always liked seeing the kids.

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

A. Yes.

Q. And what have you done with Michael Jackson in Los Angeles?

A. Same kind of thing. We used to hang out. He had an apartment there that was actually in the city, so we'd go visit there. Just kind of -- it was a little more convenient, and it was smaller. It wasn't as, you know, far away. It wasn't the 9818 daunting three-hour drive, you know. When you're ten years old, that's an awfully long drive to get out there. So sometimes when he was in the city, we would just hang out at his apartment.

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

A. Yeah.

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

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

Q. And have you called Michael Jackson yourself?

A. Yeah.

Q. Has he called you?

A. Yeah.

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

A. Yeah.

Q. And has your family called him?

A. Yes.

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

A. Uh-huh. Yes.

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

A. Yes. 9819

Q. Did Mr. Jackson ever molest you?

A. Never.

Q. Did Mr. Jackson ever improperly touch you?

A. Absolutely not.

Q. Has Mr. Jackson ever touched you in any sexual type of way?

A. No.

Q. Has he ever touched you in any offensive way?

A. No.

Q. What do you think of these allegations?

A. I think they're absolutely ridiculous.

Q. When did you first learn that these prosecutors were claiming that you were improperly touched?

A. When did I first learn that?

Q. Yes.

A. I -- somebody called me up and said, "You should probably check out CNN, because they're saying something about you."

Q. And did you check it out?

A. Yes, I did.

Q. And what did you learn?

A. I learned that it was a former cook had done something to me, and there was something about a maid or something like that. It was just one of those things where I just couldn't believe it. I couldn't believe that, first of all, these people 9820

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

And at the same time it was amazing to me that they -- that nobody approached me and even asked me whether or not the allegations were true.

They kind of just were -- threw it out there just like -- they didn't even -- they didn't even double-check it basically. I mean, even if they assumed that they knew the answer, what got me was that they didn't even ask.

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

A. No, they didn't.

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

A. No.

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

A. Excuse me?

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

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

THE COURT: Sustained.

Q. BY MR. MESEREAU: Have you ever been to 9821 Michael Jackson's bedroom?

A. Yes.

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

A. I think it was probably the first trip.

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

A. Uh-huh.

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

A. It was large. It was -- it was a very comfortable place. He had paintings and all those kind of things on the wall. It was -- you know, it had two bedrooms and it was two stories high. It

was -- you know, it's not what you normally associate with a bedroom.

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

A. Yes.

Q. How many times, do you think?

A. Handful of times.

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

A. A handful of times.

Q. How about your sister?

A. Not as often.

Q. How about your brother?

A. Whenever I was there, my little brother was kind of always tagging along with me, so he was 9822 usually anywhere I was.

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

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

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

A. Yes.

Q. Have you played at Neverland with Michael Jackson?

A. Yes.

Q. What have you done with him?

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

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

A. Yeah.

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

A. Yeah, sure.

Q. And do you recall this going on anytime of

day?

A. Playing video games? 9823

Q. Yeah.

A. Yeah. Absolutely.

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

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

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

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

A. Yes.

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

A. Yes.

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

A. Yeah.

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

A. Could you repeat that? 9824

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

A. Absolutely not.

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

MR. ZONEN: Objection; leading.

THE COURT: Sustained.

Q. BY MR. MESEREAU: Did you ever think Mr. Jackson was somehow trying to exclude your family

from his room?

MR. ZONEN: Objection; leading.

THE COURT: Overruled.

You may answer.

THE WITNESS: Could you repeat the question?

THE COURT: I'll have it read back.

(Record read.)

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

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

A. Yes, everyone.

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

A. Yes.

Q. Where did you travel to?

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

9825 friends. We were going to Bermuda, and I said,

"We're going." And he said, "Is it all right if I

tag along?" And I said, "Yes." So we did that.

After that, we ended up in -- we decided to

fly back to Orlando, because the family friends that

I was traveling with, that's where they were from.

So we went there, went to Disney World for a day or

two, and ended up flying back with my family.

And I've also -- he was doing a charity

event a couple years back in Washington D.C., and so

I -- I hitched a ride with him on his plane back to

New York.

Q. And did Mr. Jackson ever do anything

improper to you on any of these trips?

A. No.

Q. Ever see him do anything that you found

disturbing on any of these trips?

A. Absolutely not.

Q. Has Mr. Jackson ever hugged you?

A. Sure.

Q. Have you ever hugged him?

A. Absolutely.

Q. Were you ever suspicious of any of these

hugs as being something sexual in nature?

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

Q. Did you ever see Mr. Jackson hug your sister? 9826

A. Sure.

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

A. No.

Q. Ever see Mr. Jackson hug your brothers?

A. Yeah.

Q. Ever see them hug him?

A. Yes.

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

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

Q. Do you know someone named Wade Robson?

A. Yeah, I've met him.

Q. Where did you meet him?

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

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

A. No.

Q. Have you been in contact with Wade Robson?

A. No, I haven't.

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

A. Was back then when we hung out, when I was or 11 years old. 9827

Q. Do you know someone named Brett Barnes?

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

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

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

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

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

MR. MESEREAU: Okay. No further questions.

THE COURT: Cross-examine?

CROSS-EXAMINATION

BY MR. ZONEN:

Q. Mr. Culkin, good morning.

A. Good morning.

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

A. Not to my knowledge.

Q. You're not aware of any effort by law 9828 enforcement either in 1993 or currently within the last couple years to be able to get an interview with you?

A. Not that I know of, no.

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

A. Could you repeat that?

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

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

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

A. Did I talk to anybody from the defense?

Q. That's right.

A. I talked to Tom Sneddon yesterday.

Q. You talked to Tom Sneddon yesterday?

A. Sorry. Excuse me. Mr. Mesereau.

Q. You talked to Mr. Mesereau yesterday?

A. Yes.

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

THE WITNESS: Yes, sorry about that. I went 9829 to his office yesterday for about a half an hour to get my -- like, figure out where I was staying and all that kind of stuff.

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

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

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

A. No, we didn't.

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

A. I think so, yes.

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

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

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

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

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

A. I'm just saying it was something that -- I said I kind of just -- all of a sudden I turn on the 9830 television or look on the Internet and there was those things out there, and it was just surprising to me.

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

A. Like I said, I'm unaware.

Q. No one among your representatives has ever

gone to you and said, "Law enforcement would like to speak with you"?

A. Never.

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

A. I must have been around 11 years old.

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

A. About a year or two.

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

A. That sounds right.

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

A. It was 15 years ago.

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

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

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

A. That sounds right. Like I said, it was 15 9831 years ago. And it wasn't -- I haven't really talked to them since then almost.

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

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

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

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

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

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

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

A. I don't remember him being in the film. He lived in the same community as me when I was shooting the film "My Girl." And it was just kind

of a community like -- it was almost -- it wasn't exactly a gated community, but it was off of, like, the Universal lot. And he was just a neighborhood kid that I got friendly with.

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

A. Yes. 9832

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

A. Yes.

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

A. Yeah.

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

A. Yeah.

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

A. Yeah.

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

A. From what I remember, yes.

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

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

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

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

Q. Did Mr. Jackson travel with you to Bermuda 9833 or did he meet you there?

A. I honestly don't remember.

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

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

Q. It was a Rolex?

A. Yes.

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

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

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

A. I don't remember.

Q. Did he give any gift to Brock?

A. I don't remember.

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

MR. MESEREAU: Objection; calls for speculation.

MR. ZONEN: It's exactly in response to the question that counsel asked. 9834

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

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

A. Not that I remember.

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

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

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

A. Excuse me?

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

A. Not that I remember. Like I said, this whole trip was 15 years ago. And I was nine or ten years old. And if I knew I was going to have to be

testifying about it, I'm sure I would have made an effort to remember.

Q. How old are you now?

A. I'm 24.

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

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

Q. You were somewhere between nine and -- 9835

A. 11, yes.

Q. And you met him when you were nine?

A. I think that's about right, yeah. So it must have been when I was about 10 or 11.

Q. You had known him for at least a year at the time you went on that trip?

A. Yeah, for at least a year.

Q. All right. And then the question about whether you have a recollection about Mr. Jackson asking you to go with him to locations without the Goldstein family, at this time you do not recall the answer to that question?

A. I don't, no.

Q. Did Mrs. Goldstein at times tell you that it was not okay for you to go away with Mr. Jackson by yourself?

A. Could you repeat that?

Q. Didn't Mrs. Goldstein tell you it was not okay for you to go away with Mr. Jackson by yourself without somebody from the Goldstein family being there? Didn't she tell you that?

A. Gosh, I don't remember those kind of -- those kind of details. I remember -- I could tell you the hotel room, what it looked like. I could tell you, you know, if it was on the beach, and things like that. But I can't tell you -- I don't remember a lot of these specific details, because there just wasn't anything that eventful going on, 9836 besides that.

Q. But you don't remember her telling you specifically that she was not going to allow you to go places with Mr. Jackson by yourself unaccompanied

by another member of their family?

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

Q. How long did you stay in Bermuda?

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

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

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

Q. Was he there with any other adult companionship?

A. How do you mean?

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

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

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

A. No.

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

A. Yeah, to visit, and spend some time in Bermuda. 9837

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

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

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

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

Q. Do you still have that Rolex watch?

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

Q. You don't wear it any longer?

A. It doesn't fit.

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

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

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

A. Not that I remember.

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

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

THE COURT: Sustained.

Q. BY MR. ZONEN: Had you taken any trips with Mr. Jackson prior to the Bermuda trip? 9838

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

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

A. I don't think so, no.

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

A. Did we go anywhere outside of --

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

A. I know --

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

A. Could you repeat that again?

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

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

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

A. I don't remember, but probably, because we were staying in a larger hotel with -- I think it was just a larger hotel, kind of beyond the means of what we were kind of expecting to stay in. 9839

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

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

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

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

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

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

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

A. Yes.

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

A. If I remember correctly, probably, yes.

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

A. A handful of times.

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

A. Excuse me? 9840

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

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

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

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

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

A. Yeah, like half dozen times.

Q. Half dozen times?

A. Ten at most.

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

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

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

A. It's possible.

Q. All right. On how many of those occasions were you there by yourself without any sibling, alone, without any sibling at all? 9841

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

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

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

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

A. Not that I know of, no.

Q. That never happened, did it?

A. Not that I know of.

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

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

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

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

Q. Up until the age of, say, 14, are you telling us every time you went to Neverland you were with your parents and your siblings? 9842

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

Q. You never once went to Neverland by yourself?

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

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

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

Q. You never lived in Los Angeles?

A. Not full time, no.

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

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

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

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

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

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

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

A. How many times did I go there? 9843

Q. Yes.

A. A dozen times, maybe more.

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

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

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

A. In his bedroom?

Q. Yes.

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

Q. 80 percent?

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

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

A. Yeah, I mean, that would happen. I'd wear 9844 myself out and fall asleep, just like any kid would.

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

A. Could you repeat that?

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

A. Yes.

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

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

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

A. I find that unlikely.

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

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

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

A. It would happen.

Q. So you would have no recollection at all, of

all of your visits to Neverland, of ever actually making arrangements to simply go to bed like anybody 9845 else, putting on pajamas and crawling into bed and turning out the light?

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

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

A. I wore my clothes.

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

A. Yeah.

Q. Every single night?

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

Q. And you did that at home as well?

A. Yeah.

Q. Whatever you were wearing?

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

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

A. Yeah.

Q. Did you ever stay at his condo in Los Angeles?

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

Q. With your parents?

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

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

A. I don't really remember exactly where it was. I was always either -- we'd just kind of go there, and it was very secluded. It was in a garage

and things like that. That's where the entrance was.

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

A. I don't really remember.

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

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

Q. But that's possible?

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

Q. What is your date of birth?

A. August 26th, 1980.

Q. And you think when you first started coming to Neverland you were nine years old, that would 9847 have been 1989?

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

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

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

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

A. I know. I'm getting there.

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

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

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

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

Q. All right. So is it safe to say that up

until and through your 13th year, you stayed with Mr. Jackson in his room?

A. On occasion --

Q. More frequent -- 9848

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

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

A. We talked on the phone a good amount.

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

A. Sometimes. I guess. Yeah.

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

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

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

A. How do you mean "affection"?

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

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

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

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

THE COURT: The objection is overruled.

The question was, "Did he tell you how close 9849 he felt to you?"

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

THE COURT: You don't need to explain.

THE WITNESS: Okay. I understand.

Yeah, we were close.

THE COURT: Next question.

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

A. Yes. From what I remember.

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

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

Q. Even when you were nine years old?

A. Because of circumstances, yes.

Q. Did he give gifts to your parents?

A. I think so. But I honestly don't remember. This is a while ago. But he was -- he was very generous. He always gave gifts to everybody.

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

A. Not offhand, no.

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

A. Not offhand. 9850

Q. Did you travel with Mr. Jackson to Las Vegas?

A. No.

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

A. No.

Q. Did you travel with Mr. Jackson to South America?

A. No.

Q. Did you ever stay at Neverland while Jordie Chandler was there?

A. I don't know. I'm not sure if I have. I'm not sure if I know who Jordie Chandler is.

Q. Were you ever introduced to Jordie Chandler?

A. I couldn't say. I met handfuls of people kind of going in and out. There was always kind of a revolving door of staff and of people kind of coming in. Sometimes there would be guests there that I had never really met before or things like that.

Q. Were you ever in Mr. -- in Mr. Jackson's bedroom overnight while another boy was present in that room, other than your brothers?

A. On occasion, the other kids there that -- like I said, some of them were introduced -- like, I was introduced to as, like, cousins or family friends and stuff like that. And they'd bring their kids there, and then -- same as me. They would -- they would play with me, and we'd fall asleep 9851 anywhere, sometimes his bedroom, sometimes in the theater, sometimes anywhere.

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

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

Q. Are you aware of the allegations in 1993?

A. Yes, I was.

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

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

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

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

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

A. I think I had met the accuser from 93 or 9852 94, if that's who you're talking about. I had met him once or twice. But I don't remember his name, so --

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

A. I don't know. I can't remember. Like I say, this was -- this was, you know, 13 years ago,

you know. 14 years ago. And it wasn't anything -- it was just sometimes there would be some kids there, you know.

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

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

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

A. No.

Q. Wade Robson you remember?

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

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

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

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

A. Not that I remember, no. I mean, we did 9853 hang out, the day, like, after the shoot, and we went to his condo in Los Angeles.

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

A. How -- could you repeat that?

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

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

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

A. Altogether -- like I said, I went a lot between the ages of about 10 and -- about 9 and 12, and, like, 11. And then I found -- I never really worked a whole lot in Los Angeles. It was only when

I was in town that I would go over there. And I worked -- I worked on two films out here when I was -- one when I was 12, the other one when I was or so, or 10. And those are the times that I would go out there, and occasionally I would fall asleep in his room.

Q. All right. After age 10, from age 11 through 14, how many times do you think you went to 9854 Neverland?

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

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

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

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

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

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

Q. At age 20?

A. Yes.

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

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

Q. Even if he was there --

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

THE COURT: Sustained. 9855

MR. MESEREAU: May the witness complete his answer?

THE WITNESS: No --

THE COURT: Yes.

THE WITNESS: No, I was just staying there by

myself, and I'd just stay in the guest units, and it was just -- it was just that. He wasn't even there.

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

MR. MESEREAU: Objection; calls for speculation.

THE COURT: Overruled.

You may answer.

THE WITNESS: Would you repeat the question?

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

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

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

A. No.

Q. Were there ever any occasions that you spent a night in Mr. Jackson's room in the presence of 9856 another boy, not your brothers?

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

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

A. Like I said, yes.

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

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

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

A. Not offhand, no.

Q. Can you describe any of them?

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

thing.

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

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

Q. And you were 10 to 12?

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

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

A. Right around there, yeah. Whenever I was 9857 around, sometimes there would be other kids around. And, you know, it wasn't like we all, like, "Oh, It's time to go to bed. Let's huddle in." It's like, you know, you're chatting in bed, and the next thing you know you're asleep.

Q. But most of the occasions that you stayed at Michael Jackson's house was between the ages of 9 and 10; is that right?

A. Most of the times that I went there?

Q. Yes.

A. Yeah, just about. Probably that would be about right. When I first -- when I first went there, it was such an amazing place, that I decided to -- you know, any opportunity I had to go out there, I would go.

Q. And after the Bermuda trip, your visits to Neverland diminished? They were fewer?

A. Not necessarily by choice. I just didn't really find myself out on the West Coast as often.

Q. Did Mr. Jackson ever take you on shopping sprees?

A. Yeah, we'd go shopping.

Q. Where?

A. We used to do this thing where in the middle of the night -- not necessarily the middle of the night, but around, like, after the stores had closed, he would arrange for us to go to Toys-R-Us. And sometimes he wouldn't even arrange it. We would 9858 go there, and he'd literally knock on the door, and the janitor would drop his mop, and go, "What the heck?" and let us in. And then they'd -- you know,

we'd go shopping basically at Toys-R-Us when the store was totally empty, because it's the only time that he could really go shopping like that.

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

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

Q. How old were you?

A. -- something like that.

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

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

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

Q. Let me change that question.

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

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

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

A. I assume so. 9859

Q. You assume so?

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

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

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

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

A. Not always alone, no. And sometimes I wouldn't be always there. I would be wherever. But

I knew they knew that I was in that room, and they knew I fell asleep there.

Q. Mr. Culkin --

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

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

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

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

MR. ZONEN: There's no question pending.

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

THE COURT: Well, just a minute. Let me take a minute here. You are getting kind of rushed here. And you are cutting the witness off.

I'll just go back and take a look at this.

Ask a new question, please.

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

A. From what I remember, yeah.

Q. Did that happen more than once?

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

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

A. I can't recall.

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

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

Q. So you were about nine years old?

A. Probably a little bit older. Like -- I Don't think I went there -- I think I went there the first time when I was ten. I think I first met 9861 Michael when I was nine.

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

A. Probably, yes.

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

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

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

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

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

A. No.

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

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

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

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

Q. Did he say anything to Michael Jackson about him sharing a bed with his ten-year-old son? Did he 9862 say anything to Michael Jackson about that in your presence at that time?

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

Q. The answer is "No"?

A. No, he never said anything.

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

A. No.

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

A. I don't remember the specifics of anything

like this. I don't remember when he, like, came in or when whatever. If I knew I had to remember, I probably would have.

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

A. It's a possibility, yeah.

Q. Do you remember the first time that happened?

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

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

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

Q. The question was, did your mother come into 9863 the room while you were in bed alone with Mr. Jackson more than one time?

A. I really couldn't speak of any specifics like that.

Q. Did you ever have a conversation with your mother about whether or not it's appropriate for a 10-year-old boy to be sharing a bed with a 35-year-old man on a regular basis?

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

Q. Did Mr. Jackson ever talk to you about other boys who shared his bed with you?

A. Not really, no. Like I said, it was a casual thing, so it wasn't necessarily something that was, like, talked about. I'd fall asleep there, I'd fall asleep anywhere. People just kind of fell asleep wherever they wanted to. That was kind of the fun of the place, was that there was no rigid rules about when or where you should fall asleep.

Q. Did you share a bed with any other 35-year-old man other than a relative during your adolescence?

A. Not that I remember, but I wasn't really friends with a lot of 35-year-olds who actually understood me.

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

A. No. 9864

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

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

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

A. Not personally, no.

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

A. No.

MR. ZONEN: I have no further questions.

THE COURT: Redirect?

MR. MESEREAU: Yes, please, Your Honor.

REDIRECT EXAMINATION

BY MR. MESEREAU:

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

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

THE COURT: Sustained.

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

A. Well, because of circumstances, like with my career, I mean, one day I was essentially a normal 9865 kid who happened to be an actor, and the next thing I know, I'm just this thing where people are hiding in the bushes and trying to take your picture. And just -- people are kind of out to profit from you, or next thing you know you have a million acquaintances and no more friends anymore. It was like that.

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

basically, of where he came from.

And you couldn't really find a whole lot of people, especially when you're nine years old, put in these circumstances that nobody else -- you can't really talk to anybody about this kind of stuff.

And he understood it, and it was -- it was a comforting thing.

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

A. On occasion. It's not like it's, you know, a child performer self-help group or something like that. But at the same time, it was -- we still talk about it, because we're a part of a unique group of people. And so we have a unique understanding of one another. 9866

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

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

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

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

THE COURT: The objection is overruled.

THE WITNESS: Would you repeat the question?

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

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

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

Q. Now, the prosecutor asked you questions about the propriety of a man in his 30s sharing his 9867 room with children. Have you ever stayed over at a friend's house?

A. Yes.

Q. Ever stayed in a friend's room?

A. Yes.

Q. Was it someone not related to you?

A. Yeah.

Q. Ever thought there was a problem with that?

A. Never.

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

A. He was very childlike, yes.

Q. What do you mean?

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

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

A. It was one of those things that we talked about, yeah. It just -- it kind of just comes with the territory. Like I said, it's not really, you 9868 know, it's not really a therapy kind of thing. It's just kind of more like occasionally we would just kind of talk about those kind of things, yes.

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

A. Uh-huh.

Q. Could you please explain what you mean?

A. Well, no doors were ever really locked in his place. It wasn't like -- you know, you could always -- you could always come -- he always told me, "You can just come to the ranch whenever you

want." And every door was open, and you can go anywhere you wanted, and that included the bedroom.

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

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

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

A. I think one time when I was -- I mean, besides the Toys-R-Us kind of things, that we just 9869 kind of show up in the middle of the night and scare the janitor, I think when I was about 17 or 18, he was in town with Prince, and we went to -- he closed down FAO Schwartz, like, late at night, and we kind of showed up there and shopped a little there. And anywhere he shops, they kind of have to close it down for him, or we have to go late at night, just because -- it just kind of comes with the territory.

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

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

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

A. In New York, yes.

Q. Was that on Fifth Avenue?

A. Yeah, the one on Fifth Avenue.

Q. Near The Plaza Hotel?

A. Right across the street.

Q. Okay. Did you feel as if there was some

ulterior motive or purpose behind Mr. Jackson taking you to toy stores to shop?

A. No, it was just to buy toys. Usually to load up on, you know, water guns or something like 9870 that. It was just one of those things where -- it was just one of the fun things that you could do while you were hanging out with Michael.

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

A. Yes.

Q. Did you think anything unusual was --

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

MR. MESEREAU: It does not, Your Honor.

MR. ZONEN: I'll withdraw the objection.

I'll withdraw the objection.

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

A. Not at all. No, it was one of those things where, like, yeah, we'd go shopping or something like that. I thought it was a very nice gift. But at the same time, it was very sweet. And he actually had it engraved for me, it was like, you know, "From Michael Jackson," you know, "1991," or "1992," or something like that. I haven't seen it in a bunch of years, but I know I have it somewhere in a box.

Q. Now, in response to the prosecutor's questions you talked about Michael Jackson being generous. What do you mean? 9871

A. He was just very open and giving with not only his money and what he -- you know, but like even just what he had.

I remember a friend of mine had, like, you know -- no, it was my brother. He liked a box, a certain box. It was this wooden box. "Is it all right if I have it?" And he didn't give it a second thought. It's that kind of thing.

He just kind of -- he'll let me go there, go

to Neverland anytime I want. And he will let you use whatever you need to, and go wherever you need to go. And he's just a very good friend.

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

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

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

A. Not at all.

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

A. Not at all.

Q. Do you have any reason to suspect that Mr. Jackson at any time was manipulating you with gifts or generosity so he could, at the right moment, strike and touch you sexually?

A. No, never.

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

A. Yeah.

Q. And what do you recall about that?

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

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

A. He never pressured me to do anything at all. Just -- he was just my friend. He never really

pressured me to do anything. Not even go to sleep at the right time or eat my vegetables, you know.

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

A. Yeah. It was, you know, whenever -- it was -- like I said, it was an open-door policy, not 9873 only for me but for whatever other families were there.

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

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

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

A. Yeah, we had a good time.

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

A. Not at all.

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

A. Not at all. It was just a very nice gift. He had given my father a gold coin before, and things like that. I mean, he gave very nice gifts.

Q. To adults and children, right?

A. Yes.

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

A. Yeah, I was.

Q. Who was Brock?

A. He was a friend of ours. He lives in the neighborhood that I was living in in Orlando. And they had, like, a community center, something like 9874 that. This is before the "Home Alone" movie had come out. So it was just kind of like -- it was still easy for me to go to like a community center and play basketball or whatever. And he was just one of those kids I met, and played a lot of video games and hung out, things like that.

Q. Was Brock a close friend of yours at the

time?

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

Q. Has he stayed a friend of yours?

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

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

A. Not that I know of, no.

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

A. Yeah, we had a very good time.

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

A. No, not at all.

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

A. Yes. 9875

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

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

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

A. Absolutely not.

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

A. No.

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

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

THE COURT: Sustained; argumentative.

MR. MESEREAU: No further questions, Your

Honor.

RE-CROSS-EXAMINATION

BY MR. ZONEN:

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

A. Yeah, it was one of those things. I mean, I 9876 Don't necessarily think it was a good thing to rifle through everything, but it was --

Q. But people did?

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

Q. People did that?

A. People would go in there, yes.

Q. Sometimes people he didn't even know?

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

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

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

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

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

Q. You said he was childlike. Are you referring to his behavior back when you were 10 and years old? 9877

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

Q. Do you believe that his possession of a great deal of sexually explicit material is

consistent with him being childlike?

A. How do you mean?

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

A. It depends on what you are talking about.

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

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

A. What about them?

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

A. Well, I think -- I don't think there's anything wrong with having those things, whether you're childlike or not.

I mean, overall, he's still a human being, and it's something that human beings possess. And so I don't really necessarily find that 9878 inappropriate. But -- but, yeah, I don't find it inappropriate.

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

A. Not necessarily, no.

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

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

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

A. I wouldn't --

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

A. Sorry.

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

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

But he was a very generous person.

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

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

Are you going to ask questions?

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

THE COURT: All right. We'll take a break. 9879
(Recess taken.)

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REPORTER'S CERTIFICATE

THE PEOPLE OF THE STATE)

OF CALIFORNIA,)

Plaintiff,)

-vs-) No. 1133603

MICHAEL JOE JACKSON,)

Defendant.)

I, MICHELE MATTSON McNEIL, RPR, CRR,

CSR #3304, Official Court Reporter, do hereby

certify:

That the foregoing pages 9807 through 9880 contain a true and correct transcript of the proceedings had in the within and above-entitled matter as by me taken down in shorthand writing at said proceedings on May 11, 2005, and thereafter reduced to typewriting by computer-aided transcription under my direction.

DATED: Santa Maria, California,

May 11, 2005.

MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

9881

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA BARBARA

SANTA MARIA BRANCH; COOK STREET DIVISION

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

THE PEOPLE OF THE STATE OF.)

CALIFORNIA,)

Plaintiff,)

-vs-) No. 1133603

MICHAEL JOE JACKSON,)

Defendant.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, MAY 11, 2005

8:30 A.M.

(PAGES 9882 THROUGH 9952)

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

BY: Official Court Reporter 9882

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I N D E X

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

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

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

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

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

DEFENDANT'S

WITNESSES DIRECT CROSS REDIRECT RECROSS

VAN NORMAN,

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

9884

E X H I B I T S

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

5009-A DVD - Hamid Moslehi outtakes 9951

5009-B DVD - Hamid Moslehi

outtakes 9951

5009-C DVD - Hamid Moslehi outtakes 9951

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THE COURT: Counsel?

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

THE COURT: No apologies necessary.

MR. MESEREAU: Okay.

THE COURT: You may step down.