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**FILED**  
LOS ANGELES SUPERIOR COURT  
APR 29 2010  
John A. Clarke, Executive Officer/Clerk  
By J. Ramirez Deputy

15 Attorney for Defendant, CONRAD MURRAY

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
17 COUNTY OF LOS ANGELES

18 PEOPLE OF THE STATE OF CALIFORNIA, )  
19 Plaintiff, )  
20 vs. )  
21 CONRAD MURRAY, )  
22 Defendant, )

Case No.: SA073164  
**NOTICE OF MOTION AND MOTION  
FOR PRETRIAL DISCOVERY  
COMPLIANCE ORDER (PEN C §1054.5)**  
DATE: April 26, 2010  
TIME: 1:30pm.  
DEPT: 100

23 TO THE HONORABLE JUDGE OF THE SUPERIOR COURT AND THE DISTRICT  
24 ATTORNEY OF THE COUNTY OF LOS ANGELES:

25 **PLEASE TAKE NOTICE** that on April 26, 2010, at 1:30p.m., or as soon thereafter as  
26 counsel may be heard, in the above-entitled court, the defendant, CONRAD MURRAY, will  
27 move that the Court compel discovery of the items previously requested informally of the  
28 prosecution on February 23, 2010, March 30, 2010, and via telephone message on March 31,  
29 2010, to 213/974.3992, but not given to the defense. Those items are listed in the attached  
exhibits (Exhibit A and Exhibit B). This motion will be based on the attached memorandum of  
points and authorities, the attached declaration of counsel, the attached exhibit, all papers filed

1 and records in this action, evidence taken at the hearing on this motion, and argument at that  
2 hearing.

3 **MOTION**

4 The defense asks the court to order the prosecution to disclose to the defense the items  
5 listed below. All of the items were requested informally of the prosecution, but the items have  
6 not been given to the defense.

7 The prosecution did not disclose the items requested by the defense in an informal  
8 discovery request dated February 23, 2010, and a follow up letter on March 30, 2010, (Exhibit A  
9 and Exhibit B). The defense therefore requests that the court order the prosecution to disclose to  
10 the defense those items set out below, which were informally requested but not disclosed:

11 1. All notes and reports of police officers and investigators, to include handwritten notes  
12 and typewritten reports, concerning the offense charged. This includes reports concerning all  
13 aspects of the case, e.g., the crime, the defendant's arrest, law enforcement activities and  
14 observations, and conversations with witnesses and potential witnesses. (Penal Code section  
15 1054.1 (e)-(f).)

16 2. All statements or utterances by the defendant oral or written, however recorded or  
17 preserved, whether or not signed or acknowledged by the defendant. (Penal Code section  
18 1054.1(b), (e); *Brady v. Maryland* (1963) 373 U.S. 83.)

19 3. Any and all transcripts made of any statement taken from the defendant herein,  
20 including but not limited to transcripts made of defendant's tape-recorded statements and  
21 conversations. . (*Joe Z. v. Superior Court*, 3 Cal.3d 797, 804 (1970); *Powell v. Superior Court*,  
22 48 Cal.3d 704, 709 (1957); *People v. Cartier*, 51 Cal.2d 591 (1959).)

23 4. The content of any statements made in the defendant's presence while being  
24 interrogated by law enforcement that were intended or might reasonably be expected to have the  
25 effect of encouraging the defendant to give a statement about the offense to the police. (*People v.*  
26 *Haydel*, 12 Cal. 3d 190 (1974); *Napue v. Illinois* (1959) 360 U.S. 264.)

27 5. All notes of observations of the defendant's physical appearance or emotional state by  
28 law enforcement personnel or their agents at or near the time of the defendant's arrest. (See  
29 *People v. Haydel, supra.*)

1           6. All notes, memoranda, handwritten or typed, which were prepared by any law  
2 enforcement or non-law enforcement personnel based upon statements made by the defendant.  
3 All reports of any law enforcement personnel, any investigator, or any person who has peace  
4 officer status, or any person not of peace officer status and/or their agents and employees, of his  
5 or her conversation with any person, including the defendant, pertaining in any way to this case,  
6 made prior to, at, or subsequent to the occurrence of the events in this case. This includes, but is  
7 not limited to the original notes of said persons prepared by them during their investigation, as  
8 well as field notes, surveillance reports, tape recordings, photographs, memoranda or other  
9 information related to the issues in the case. (See *Joe Z. v. Superior Court, supra; Funk v.*  
10 *Superior Court*, 52 Cal. 2d 423, 424 (1959).)

11           7. All statements of any person which were shown, read, played, or paraphrased to the  
12 defendant during any interviews, interrogations, visits, and/or phone conversations in this case.

13           8. All written or recorded statements of witnesses who will testify at trial. (Penal Code  
14 section 1054.1(e)-(f).)

15           9. All written or recorded statements of percipient witnesses, whether or not they will be  
16 called testify. (Penal Code sections 1054.1(e), 1054(e).)

17           10. All laboratory, technician, and other reports concerning the testing and examination of  
18 evidence concerning this case. This request includes the data and raw notes which were made in  
19 connection with such tests and the content and nature of any finding, scientific or expert opinion  
20 which has been communicated to the prosecution, but which has not been reduced to writing.  
21 (Penal Code section 1054.1(e)-(f).)

22           11. All reports of experts made in conjunction with this case, involving the results of  
23 physical or mental examinations, scientific tests, experiments, or comparisons that the prosecutor  
24 intends to offer in evidence at trial, and all reports of experts who reviewed the work of a  
25 prosecution expert who will testify at trial. This request includes the data and raw notes which  
26 were made in connection with such tests and the content and nature of any finding, scientific or  
27 expert opinion which has been communicated to the prosecution, but which has not been reduced  
28 to writing. (Penal Code section 1054.1(e)-(f).)

29 ///

1 12. All physical evidence obtained in the investigation of the case against the defendant.  
2 (Penal Code section 1054.1(c), (e).)

3 13. All photographs, transparencies, slides, diagrams, and videotapes of the scene of the  
4 alleged offense. (Penal Code section 1054.1(c), (e).)

5 14. All photographs or videotapes of defendant at or near the time of defendant's arrest.  
6 (Penal Code section 1054.1(c), (e).)

7 15. A copy of any police radio communication tape concerning the case. (*People v*  
8 *Madden*, 2 Cal. 3d 1017 (1970).)

9 16. Any record of criminal arrests or convictions of the defendant. (Penal Code section  
10 1054.1(d), (e).)

11 17. Any exculpatory evidence, information, documents, and other materials in the  
12 possession of, or that have come to the attention of, the District Attorney or of any police  
13 department involved in the investigation of the case against the defendant. (Penal Code sections  
14 1054 (e), 1054.1 (e); *Giglio v. United States*(1972) 405 U.S. 150; *Brady v. Maryland, supra.*)

15 18. All reports and notes of any law enforcement officer or investigator concerning the  
16 defendant and/or the above-entitled case that are maintained separately from the official file, e.g.,  
17 as "current investigation files," "field identification notes," or "street files."

18 19. Statements of all non-testifying witnesses in this case. (*United States v. Strifler*, 851  
19 F2d 1197 (1988 CA9); *Vetter v. Superior Court of Sacramento County*, 189 Cal. App. 2d 132  
20 (1961).)

21 20. All notes in the District Attorney's files of interviews with police officers and other  
22 witnesses. (*Thompson v. Superior Court*, 53 Cal. App. 4<sup>th</sup> 480 (1997).)

23 21. The following requested information concerns any search warrants sought or used in  
24 this case. (*Norton v. Superior Court*, 173 Cal. App. 2d 133 (1959); *Smith v. Illinois* (1968) 390  
25 U.S. 129; *People v. Brandow*, 12 Cal. App. 3d 749 (1970); *People v. Mascarenas*, 21 Cal. App.  
26 3d 660 (1971); *Alford v. United States* (1972) 282 U.S. 687; *Miller v. Superior Court*, 99 Cal.  
27 App. 3d 381 (1979).)

28 ///

29 ///

- 1 A. All drafts and final versions of any search warrant applications in this matter and all  
2 information regarding submission of the warrant and prior drafts thereof to any  
3 judicial official, whether of the defendant's residence or not.
- 4 B. A copy of any search warrant, search warrant affidavit and/or return of search  
5 warrant, listing the property seized in relation to this case.
- 6 C. A copy of every search warrant and search warrant affidavit presented to any judge  
7 for issuance of any search warrant relating to this case, whether of the defendant's  
8 residence of not.
- 9 D. The names, addresses, telephone numbers, and official positions of any and all  
10 persons present while and/or involved in any way in conducting the executions of the  
11 searches and/or seizures in this matter, whether of the defendant's residence or not.
- 12 E. The true identities, including names, current addresses, and telephone numbers of all  
13 witnesses to any searches and/or seizures conducted in this matter, whether of the  
14 defendant's residence or not.
- 15 F. The justification(s) for any searches and seizures conducted in this matter, whether of  
16 the defendant's residence or not.
- 17 G. A list of all evidence obtained as the direct and/or indirect result of any searches  
18 and/or seizures in this matter, i.e., all evidence observed and/or seized, along with  
19 information regarding how each and all items of evidence was observed and/or  
20 seized, whether of the defendant's residence or not.
- 21 H. Any previous applications for search warrants even if rejected by a judge for probable  
22 cause relating to the investigation of this case, whether of the defendant's residence or  
23 not. (Penal Code section 1539(c); *United States v. Leon* (1984) 468 U.S. 897.)

24 22. As to all experts who were in any way contacted by or involved in the investigation  
25 of this case, Defendant requests:

- 26 A. Identities, including names, addresses, telephone numbers, badge/identification  
27 numbers, occupation and title, and present assignments of all experts who were  
28 consulted or participated in the investigation of this case, whether they prepared  
29 any reports or not concerning their participation, analysis or examinations of any

1 person, any physical evidence, whether or not the prosecution intends to call them  
2 at trial. (*People v. Johnson*, 38 Cal. App. 3d 228 91974).)

3 B. A current summary and itemization of the courses of instruction or other training  
4 given of all experts who were consulted or participated in the investigation of this  
5 case, whether they prepared any reports or not concerning their participation,  
6 analysis or examinations of any person, any physical evidence, whether or not the  
7 prosecution intends to call them at trial.

8 C. Any and all writings or publications used in any way by the experts in forming  
9 opinions, or in obtaining a basis for forming an opinion, including teaching  
10 manuals, journals, treatises, textbooks, bulletins, seminar material, and other  
11 records of classes in the expert's field of expertise, or otherwise.

12 23. As to physical evidence in this case, we request:

13 A. All physical evidence, including, but not limited to, all documents, papers,  
14 computer disks, books, records, photographs, telephone records, which may be  
15 introduced at the time of trial in this case.

16 B. All other physical evidence collected in the investigation of this case which is  
17 now in the possession of the prosecutors, law enforcement officers, or any other  
18 governmental agency, whether such evidence has been examined or is not going  
19 to be used at trial.

20 C. The present location of the evidence, and the name, address, and telephone  
21 number of the present custodian of such evidence.

22 D. Any and all reports or raw notes describing the state, composition, or findings of  
23 the physical evidence.

24 E. The name, addresses, and telephone number of each person to whom any of the  
25 physical evidence in this case was submitted for analysis including, but not  
26 limited to, all criminalist, handwriting experts, criminologists, toxicologists, crime  
27 technicians, etc.

28 24. Autopsy of Michael Joseph Jackson

- 29
  - The autopsy slides from the autopsy of Michael J. Jackson

- 1 • All photos taken prior to and during the course of the autopsy of Michael
- 2 J. Jackson
- 3 • All x-rays taken prior to and during the course of the autopsy of Michael J.
- 4 Jackson
- 5 • All handwritten notes prior to and during the course of the autopsy of
- 6 Michael J. Jackson
- 7 • All audio and video recordings taken prior to and during the course of the
- 8 autopsy of Michael J. Jackson
- 9 • All written drafts of the autopsy report of Michael J. Jackson

10 25. Los Angeles Sheriff-Coroner's Department Meetings from June 25, 2009, to the  
11 present concerning the death of Michael J. Jackson

- 12 • All notes of all attendees of these meetings.
- 13 • All audio recordings taken of these meetings.
- 14 • All video recordings taken of these meetings.
- 15 • All reports written at the conclusion of these meeting, including copies of
- 16 all drafts of the reports of these meetings.

17 26. A copy of the following individuals Curriculum Vitae (CV) including any  
18 publications, texts, etc. and publications they rely upon in reaching their expert opinions.

- 19 A. Investigator Elissa Fleak
- 20 B. Dr. Christopher Rogers
- 21 C. Dr. Lakshmanan Sathyavagiswaran
- 22 D. Dr. Russell Sherwin
- 23 E. Dr. Cathy Law
- 24 F. Dr. John Andrews
- 25 G. Dr. Selma Calmes
- 26 H. Dr. Donald Boger
- 27 I. Daniel T. Anderson
- 28 J. Jaime Lintemoot
- 29 K. Assistant Chief E. Winter

1           27. A copy of the following audio recordings and any other audio recordings of anyone  
2 that was interviewed.

3           A. Tape #: 476238

4           B. Tape #: 476239

5           C. Tape #: 476237

6           D. Tape #: 476236

7           E. Tape #: 476243

8           F. Tape #: 476281

9           G. Tape #: 476292

10          H. Tape #: 476293

11          I. Tape #: 476291

12          J. Tape #: 476258

13          K: Tape #: 476214

14          L: Audio Recording of June 27, 2009 Formal interview of Dr. Murray by LAPD

15                           **MEMORANDUM OF POINTS AND AUTHORITIES**

16   **STATEMENT OF FACTS**

17           Defendant, Conrad Murray, M.D. is accused of accidentally letting a patient in his care die.  
18 This allegedly occurred on June 25, 2009, in Los Angeles California.

19           Our office sent an informal discovery request for items of discovery being compelled in  
20 this motion on February 23, 2010, and a follow up letter on March 30, 2010, to the Los Angeles  
21 County District Attorney's Office; Clara Shortridge Foltz Criminal Justice Center, Attn: Mr.  
22 Walgren. A copy of the informal discovery request that specifically requested these items this  
23 motion seeks to compel are attached to this motion as Exhibit A and the follow up letter as  
24 Exhibit B.

25   **ARGUMENT**

26           **I. The Prosecution is Required to Provide the Requested Discovery.**

27           “[T]he suppression by the prosecution of evidence favorable to an accused upon request  
28 violates due process where the evidence is material either to guilt or to punishment, irrespective  
29 of the good faith or bad faith of the prosecution.” *Brady v. Maryland* 373 U.S. 83, 87 (1963).



1 "The prosecuting attorney shall disclose...[a] relevant real evidence seized or obtained  
2 as part of the investigation of the offenses charged." Penal Code section 1054.1 (c). The  
3 prosecution must present to the defense any trial exhibits it intends to use or rely upon, even  
4 though the exhibits were not obtained in the investigation of the alleged crime. *Izazaga v.*  
5 *Superior Court* 54 Cal..3d 356, 373 (1991); *In re Littlefield* 5 Cal..4<sup>th</sup> 122, 134 (1993). If the  
6 prosecution intends on relying upon and presenting to the jury evidence that was previously  
7 requested by the defense, this material must be given to the defense.

8 **I. The Prosecution is the Discovery Agent for the "Prosecution Team" and is**  
9 **Responsible for any Negligent Non-disclosure.**

10 The "Prosecution Team" consists of the prosecutor's office, the investigation agency, and  
11 anyone hired by either the prosecutor or the investigating agency to help him or her perform their  
12 duties. Penal Code section 1054.5 (a). The prosecutor acts as the gatekeeper of discovery  
13 between the "Prosecution Team" and the defense.

14 The prosecutor has the duty to ensure not only that an effort is made to provide disclosure  
15 of exculpatory evidence to the defendant, but also must ensure that the defendant actually  
16 receives disclosure. The duty to provide disclosure may not be delegated to another member of  
17 the prosecution team, and the prosecutor remains responsible for negligent non-disclosure by a  
18 member of the prosecution's investigative team. *In re Brown* 17 Cal. 4<sup>th</sup> 873 (1998).

19 Here, the prosecutor has failed to provide requested and exculpatory evidence in regard to  
20 evidence collected against the defendant. The evidence has been requested and through neglect,  
21 the prosecution has failed to come through.

22 **III. Enforcement of Discovery Procedures and Request for Sanctions.**

23 "If within 15 days the opposing counsel fails to provide the materials and information  
24 requested, the party may seek a court order." Penal Code section 1054.5 (b). The prosecutor has  
25 failed to provide the requested materials within fifteen days of the informal discovery requests  
26 and therefore, a court order requiring immediate disclosure is required.

27 Additionally, "[A] court may make any order necessary to enforce the provisions of this  
28 chapter, including..... prohibiting the testimony of a witness or the presentation of real  
29

1 evidence.....” Penal Code section 1054.5 (b); *People v. Gonzales* 22 Cal.. App.4<sup>th</sup> 1744, 1757  
2 (1994).

3 In light of the prosecution’s repeated neglect to provide the requested discovery, we  
4 request monetary sanctions be imposed against the District Attorney, County of Los Angeles.  
5 We are requesting sanctions in the amount of \$250. The long and repeated discovery delays  
6 require the sanction of exclusion or at minimum immediate disclosure.

7 **CONCLUSION**

8 For the foregoing reasons, Defendant requests that motion for immediate disclosure of  
9 requested discovery and monetary sanctions against the prosecution be granted.

10  
11 Dated: March 31, 2010

Respectfully Submitted,

12  
13 By: 

14 Joseph H. Low IV  
15 Attorney for Conrad Murray, M.D.  
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# EXHIBIT A

February 23, 2010

Sent via US Mail and Facsimile to 213/974.1484

District Attorney's Office  
Clara Shortridge Foltz Criminal Justice Center  
210 West Temple St.  
Los Angeles, CA 90012

**RE: Informal Discovery Request  
People v. Conrad Murray  
Case No.: SA073164**

Dear Mr. Walgren:

This letter is notice to you pursuant to Penal Code 1054 et seq. and criminal case law. Defendant, Conrad Murray, hereby requests that you provide the following information or provide the opportunity to review the following material and information with fifteen (15) days. Please provide a clean copy of the discovery already turned over to Michael Flanagan (Bate Stamped pages 1-281). Our office cannot read the discovery with his name largely printed on every page. His name obstructs the discovery.

1. All notes and reports of police officers and investigators, to include handwritten notes and typewritten reports, concerning the offense charged. This includes reports concerning all aspects of the case, e.g., the crime, the defendant's arrest, law enforcement activities and observations, and conversations with witnesses and potential witnesses. (Penal Code section 1054.1 (e)-(f).)
2. All statements or utterances by the defendant oral or written, however recorded or preserved, whether or not signed or acknowledged by the defendant. (Penal Code section 1054.1(b), (e); *Brady v. Maryland* (1963) 373 U.S. 83.)
3. Any and all transcripts made of any statement taken from the defendant herein, including but not limited to transcripts made of defendant's tape-recorded statements and conversations. . (*Joe Z. v. Superior Court*, 3 Cal.3d 797, 804 (1970); *Powell v. Superior Court*, 48 Cal.3d 704, 709 (1957); *People v. Cartier*, 51 Cal.2d 591 (1959).)

4. The content of any statements made in the defendant's presence while being interrogated by law enforcement that were intended or might reasonably be expected to have the effect of encouraging the defendant to give a statement about the offense to the police. (*People v. Haydel*, 12 Cal. 3d 190 (1974); *Napue v. Illinois* (1959) 360 U.S. 264.)
5. All notes of observations of the defendant's physical appearance or emotional state by law enforcement personnel or their agents at or near the time of the defendant's arrest. (See *People v. Haydel*, *supra*.)
6. All notes, memoranda, handwritten or typed, which were prepared by any law enforcement or non-law enforcement personnel based upon statements made by the defendant. All reports of any law enforcement personnel, any investigator, or any person who has peace officer status, or any person not of peace officer status and/or their agents and employees, of his or her conversation with any person, including the defendant, pertaining in any way to this case, made prior to, at, or subsequent to the occurrence of the events in this case. This includes, but is not limited to the original notes of said persons prepared by them during their investigation, as well as field notes, surveillance reports, tape recordings, photographs, memoranda or other information related to the issues in the case. (See *Joe Z. v. Superior Court*, *supra*; *Funk v. Superior Court*, 52 Cal. 2d 423, 424 (1959).)
7. All statements of any person which were shown, read, played, or paraphrased to the defendant during any interviews, interrogations, visits, and/or phone conversations in this case.
8. All written or recorded statements of witnesses who will testify at trial. (Penal Code section 1054.1(e)-(f).)
9. All written or recorded statements of percipient witnesses, whether or not they will be called testify. (Penal Code sections 1054.1(e), 1054(e).)
10. All laboratory, technician, and other reports concerning the testing and examination of evidence concerning this case. This request includes the data and raw notes which were made in connection with such tests and the content and nature of any finding, scientific or expert opinion which has been communicated to the prosecution, but which has not been reduced to writing. (Penal Code section 1054.1(e)-(f).)

11. All reports of experts made in conjunction with this case, involving the results of physical or mental examinations, scientific tests, experiments, or comparisons that the prosecutor intends to offer in evidence at trial, and all reports of experts who reviewed the work of a prosecution expert who will testify at trial. This request includes the data and raw notes which were made in connection with such tests and the content and nature of any finding, scientific or expert opinion which has been communicated to the prosecution, but which has not been reduced to writing. (Penal Code section 1054.1(e)-(f).)
12. All physical evidence obtained in the investigation of the case against the defendant. (Penal Code section 1054.1(c), (e).)
13. All photographs, transparencies, slides, diagrams, and videotapes of the scene of the alleged offense. (Penal Code section 1054.1(c), (e).)
14. All photographs or videotapes of defendant at or near the time of defendant's arrest. (Penal Code section 1054.1(c), (e).)
15. A copy of any police radio communication tape concerning the case. (*People v Madden*, 2 Cal. 3d 1017 (1970).)
16. Any record of criminal arrests or convictions of the defendant. (Penal Code section 1054.1(d), (e).)
17. Any exculpatory evidence, information, documents, and other materials in the possession of, or that have come to the attention of, the District Attorney or of any police department involved in the investigation of the case against the defendant. (Penal Code sections 1054 (e), 1054.1 (e); *Giglio v. United States* (1972) 405 U.S. 150; *Brady v. Maryland*, *supra*.)
18. All reports and notes of any law enforcement officer or investigator concerning the defendant and/or the above-entitled case that are maintained separately from the official file, e.g., as "current investigation files," "field identification notes," or "street files."

19. Statements of all non-testifying witnesses in this case. (*United States v. Strifler*, 851 F2d 1197 (1988 CA9); *Vetter v. Superior Court of Sacramento County*, 189 Cal. App. 2d 132 (1961).)
20. All notes in the District Attorney's files of interviews with police officers and other witnesses. (*Thompson v. Superior Court*, 53 Cal. App. 4<sup>th</sup> 480 (1997).)
21. The following requested information concerns any search warrants sought or used in this case. (*Norton v. Superior Court*, 173 Cal. App. 2d 133 (1959); *Smith v. Illinois* (1968) 390 U.S. 129; *People v. Brandow*, 12 Cal. App. 3d 749 (1970); *People v. Mascarenas*, 21 Cal. App. 3d 660 (1971); *Alford v. United States* (1972) 282 U.S. 687; *Miller v. Superior Court*, 99 Cal. App. 3d 381 (1979).)
  - A. All drafts and final versions of any search warrant applications in this matter and all information regarding submission of the warrant and prior drafts thereof to any judicial official, whether of the defendant's residence or not.
  - B. A copy of any search warrant, search warrant affidavit and/or return of search warrant, listing the property seized in relation to this case.
  - C. A copy of every search warrant and search warrant affidavit presented to any judge for issuance of any search warrant relating to this case, whether of the defendant's residence or not.
  - D. The names, addresses, telephone numbers, and official positions of any and all persons present while and/or involved in any way in conducting the executions of the searches and/or seizures in this matter, whether of the defendant's residence or not.
  - E. The true identities, including names, current addresses, and telephone numbers of all witnesses to any searches and/or seizures conducted in this matter, whether of the defendant's residence or not.
  - F. The justification(s) for any searches and seizures conducted in this matter, whether of the defendant's residence or not.
  - G. A list of all evidence obtained as the direct and/or indirect result of any searches and/or seizures in this matter, i.e., all evidence observed and/or seized, along with information regarding how each and all items of evidence was observed and/or seized, whether of the defendant's residence or not.
  - H. Any previous applications for search warrants even if rejected by a judge for probable cause relating to the investigation of this case, whether of the

defendant's residence or not. (Penal Code section 1539(c); *United States v. Leon* (1984) 468 U.S. 897.)

22. As to all experts who were in any way contacted by or involved in the investigation of this case, Defendant requests:

- A. Identities, including names, addresses, telephone numbers, badge/identification numbers, occupation and title, and present assignments of all experts who were consulted or participated in the investigation of this case, whether they prepared any reports or not concerning their participation, analysis or examinations of any person, any physical evidence, whether or not the prosecution intends to call them at trial. (*People v. Johnson*, 38 Cal. App. 3d 228 91974.)
- B. A current summary and itemization of the courses of instruction or other training given of all experts who were consulted or participated in the investigation of this case, whether they prepared any reports or not concerning their participation, analysis or examinations of any person, any physical evidence, whether or not the prosecution intends to call them at trial.
- C. Any and all writings or publications used in any way by the experts in forming opinions, or in obtaining a basis for forming an opinion, including teaching manuals, journals, treatises, textbooks, bulletins, seminar material, and other records of classes in the expert's field of expertise, or otherwise.

23. As to physical evidence in this case, we request:

- A. All physical evidence, including, but not limited to, all documents, papers, computer disks, books, records, photographs, telephone records, which may be introduced at the time of trial in this case.
- B. All other physical evidence collected in the investigation of this case which is now in the possession of the prosecutors, law enforcement officers, or any other governmental agency, whether such evidence has been examined or is not going to be used at trial.
- C. The present location of the evidence, and the name, address, and telephone number of the present custodian of such evidence.
- D. Any and all reports or raw notes describing the state, composition, or findings of the physical evidence.



- E. The name, addresses, and telephone number of each person to whom any of the physical evidence in this case was submitted for analysis including, but not limited to, all criminalist, handwriting experts, criminologists, toxicologists, crime technicians, etc.

24. Autopsy of Michael Joseph Jackson

- The autopsy slides from the autopsy of Michael J. Jackson
- All photos taken prior to and during the course of the autopsy of Michael J. Jackson
- All x-rays taken prior to and during the course of the autopsy of Michael J. Jackson
- All handwritten notes prior to and during the course of the autopsy of Michael J. Jackson
- All audio and video recordings taken prior to and during the course of the autopsy of Michael J. Jackson
- All written drafts of the autopsy report of Michael J. Jackson

25. Los Angeles Sheriff-Coroner's Department Meetings from June 25, 2009, to the present concerning the death of Michael J. Jackson

- All notes of all attendees of these meetings.
- All audio recordings taken of these meetings.
- All video recordings taken of these meetings.
- All reports written at the conclusion of these meeting, including copies of all drafts of the reports of these meetings.

26. A copy of the following individuals Curriculum Vitae (CV) including any publications, texts, etc. and publications they rely upon in reaching their expert opinions.

- A. Investigator Elissa Fleak
- B. Dr. Christopher Rogers
- C. Dr. Lakshmanan Sathyavagiswaran
- D. Dr. Russell Sherwin
- E. Dr. Cathy Law
- F. Dr. John Andrews
- G. Dr. Selma Calmes
- H. Dr. Donald Boger
- I. Daniel T. Anderson
- J. Jaime Lintemoot

K. Assistant Chief E. Winter

27. A copy of the following audio recordings and any other audio recordings of anyone that was interviewed.

A. Tape #: 476238

B. Tape #: 476239

C. Tape #: 476237

D. Tape #: 476236

E. Tape #: 476243

F. Tape #: 476281

G. Tape #: 476292

H. Tape #: 476293

I. Tape #: 476291

J. Tape #: 476258

K: Tape #: 476214

L: Audio Recording of June 27, 2009 Formal interview of Dr. Murray by LAPD

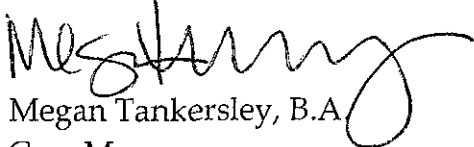
This is a continuing request and requires the police and prosecution to inform the attorneys for the defense forthwith of any information covered by this request which comes to the attention of the police, prosecution, or any other governmental agency, agent, or employees thereof after this request is made. . (*Hill v. Superior Court*, 10 Cal. 3d 812 (194); *In re Ferguson*, 5 Cal. 3d 525 (1971); *People v. McManis*, 26 Cal. App. 3d 608 91972); *Brady v. Maryland, supra.*)

The defense further requests that the police, prosecution, and their agents and employees shall inform the defense attorney of any and all evidence and/or information from any source that it has which is or may be favorable to the defense in that it tends to exonerate the defendant in this case, minimize her probable sentence or constitutes information that the defense might use to impeach or contradict prosecution witnesses, including all information which may lead to such information. (*Brady v. Maryland, supra*; *Naupe v. Illinois, supra*; *In re Ferguson, supra.*)

This request binds the prosecution and all other law enforcement personnel, and their agents, deputies, and employees who have assisted or are assisting in the investigation or prosecution of this case. (*People v. Rennie*, 201 Cal. App. 2d 1 (1962); *Engstrom v. Superior Court*, 20 Cal. App. 3d 240 (1972).)

People v Conrad Murray  
Discovery Request  
February 23, 2010  
Page 8 of 8

Very Truly Yours,  
THE LAW FIRM OF JOSEPH H. LOW IV

A handwritten signature in black ink, appearing to read "Megan Tankersley". The signature is fluid and cursive, with a large loop at the end of the last name.

Megan Tankersley, B.A.  
Case Manager

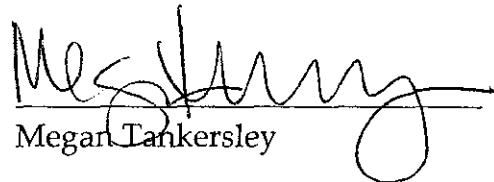
**PROOF OF SERVICE**  
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I do hereby declare that I am employed in the County of Los Angeles, State of California, am over the age of 18 years, and am not a party to this within action. My business address is One World Trade Center, Suite 2320, Long Beach, CA 90831.

On February 23, 2010, I served the following document described as:  
**INFORMAL REQUEST FOR DISCOVERY, for Case No. SA073164**, on the interested parties in this action in the following manner:

- [X] BY U.S. MAIL: I placed such envelope(s) addressed as shown below, with postage fully prepaid, in a United States Postal Service mailbox in Long Beach, California, for collection and mailing.
- [X] VIA FACSIMILE: I caused such document to be served via facsimile to the addressee(s) and number(s) shown below.

I declare under penalty of perjury under the laws of the State of California that all of the above is true and correct. Executed on February 23, 2010 at Long Beach, California.

  
Megan Tankersley

**NAME AND ADDRESS OF EACH PERSON TO WHOM SERVICE WAS MADE:**

**District Attorney's Office  
Mr. Walgren  
Clara Shortridge Foltz Criminal Justice Center  
210 West Temple St.  
Los Angeles, CA 90012**

**Facsimile # 213/974.1484**

# EXHIBIT B

March 30, 2010

Sent via US Mail and Facsimile to 213/974.1484

District Attorney's Office  
Clara Shortridge Foltz Criminal Justice Center  
210 West Temple St.  
Los Angeles, CA 90012

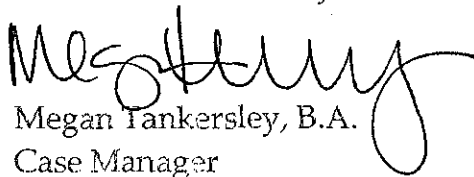
**RE: Informal Discovery Request  
People v. Conrad Murray  
Case No.: SA073164**

Dear Mr. Walgren:

On February 23, 2010, our office sent a discovery request in regards to the above-referenced case. We respectfully requested you provide our office the material or the opportunity to review within fifteen (15) days. We also requested a clean copy of the discovery which was already turned over to Michael Flanagan (Bate Stamped pages 1-281). Our office cannot read the discovery with his name largely printed on every page. His name obstructs the discovery.

To date, we have not received a response from you in regards to our request. Please contact our office at 562.901.0840 to discuss this situation.

Very Truly Yours,  
THE LAW FIRM OF JOSEPH H. LOW IV

  
Megan Tankersley, B.A.  
Case Manager

1 THE LAW FIRM OF JOSEPH HAWKINS LOW IV  
2 Joseph H. Low IV (SBN 194897)  
3 One World Trade Center  
4 Suite 2320  
5 Long Beach, CA 90831  
6 Telephone: 562-901-0840  
7 Facsimile: 562-901-0841

8 STRADLEY, CHERNOFF & ALFORD  
9 Edward Chernoff (*Pro Hac Vice*)  
10 Texas Bar #04175730  
11 917 Franklin Street, Suite 600  
12 Houston, Texas 77002  
13 Telephone (713) 222-9141  
14 Facsimile (713) 236-1886

15 Attorney for Defendant, CONRAD MURRAY

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
17 COUNTY OF LOS ANGELES

18 PEOPLE OF THE STATE OF CALIFORNIA, )  
19 Plaintiff, )  
20 vs. )  
21 CONRAD MURRAY , )  
22 Defendant, )

Case No.: SA073164

**DECLARATION IN SUPPORT OF  
MOTION FOR PRETRIAL DISCOVERY  
COMPLIANCE ORDER (PEN C §1054.5)**

DATE: April 26, 2010  
TIME: 1:30pm.  
DEPT: 100

23 I, Joseph H. Low IV, declare:

- 24 1. I am the attorney for the defendant in this action.
- 25 2. The items specified in the request for informal discovery, attached hereto as Exhibit "A"  
26 and "B" are in the actual possession of the District Attorney or of the Los Angeles Police  
27 Department, an investigative agency within the meaning of California Penal Code §1054.1.
- 28 3. The district attorney has failed to provide the materials and information requested within  
29 15 days as required by the provisions of California Penal Code §1054.5.

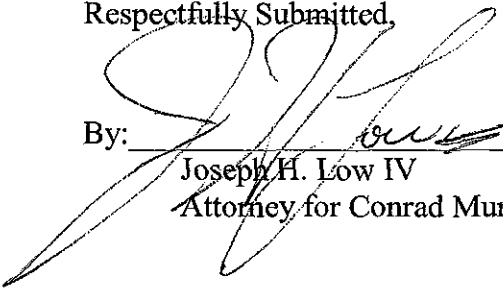
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1 I declare under penalty of perjury that the foregoing is true and correct.  
2

3 Dated: March 31, 2010  
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Respectfully Submitted,

5 By:   
6 Joseph H. Low IV  
7 Attorney for Conrad Murray, M.D.  
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02/09/2010 TUE 17:31 FAX 3107271960

AIRPORT COURT

002

CASE NO. SA073164  
DEF NO. 01

DATE PRINTED 02/09/10

NOTICE OF MOTION AND RECOMMENDATION BY STATE LICENSING AGENCY  
RE: RESTRICTIONS ON PRACTICE OF MEDICINE,

DEPUTY ATTORNEY GENERAL TRINA L. SAUNDERS IS PRESENT FOR THE  
DEPARTMENT OF JUSTICE.

NOTICE OF MOTION AND RECOMMENDATION IS HEARD AND ARGUED.

THE COURT MAKES THE FOLLOWING MEDICAL PRACTICE RESTRICTIONS:  
THE DEFENDANT MAY NOT USE ANY ANESTHETIC AGENT, SPECIFICALLY  
PROPOFOL, NOR PRESCRIBE IT, AND DO NOT ADMINISTER ANY OTHER  
HEAVY SEDATIVE MEDICATIONS THAT SHOULD GENERALLY BE  
ADMINISTERED BY ANY ANESTHESIOLOGIST. THE DEFENDANT MAY NOT

SEDATE PEOPLE PERSONALLY. THIS ORDER IS TO COVER THE  
STATE OF CALIFORNIA, TEXAS, NEVADA, HAWAII AND ANYWHERE  
ELSE THE DEFENDANT MAY BE CURRENTLY LICENSED IN THE UNITED  
STATES.

PEOPLE'S MOTION IN SUPPORT OF BAIL DEVIATION IS FILED.

BAIL MOTION IS HEARD AND ARGUED.

BAIL SET IN THE SUM OF \$75,000.

DEFENDANT IS REMANDED FORTHWITH.

THE COURT ORDERS THE FOLLOWING TRAVEL RESTRICTIONS:  
-THE DEFENDANT IS ORDERED TO TURN OVER HIS PASSPORT  
-NO TRAVEL OUTSIDE THE UNITED STATES

THE COURT ORDERS DEFENDANT, CONRAD ROBERT MURRAY, TO SURRENDER  
HIS PASSPORT THIS DATE. PASSPORT IS ORDERED SURRENDERED AND  
FORWARDED TO THE U.S. PASSPORT OFFICE. THE DEFENDANT MAY NOT  
REAPPLY FOR A PASSPORT PENDING THE RESOLUTION/DISPOSITION OF

THE IMMEDIATE CASE. THE DEFENDANT IS DIRECTED TO OBTAIN A  
CERTIFIED COPY OF A MINUTE ORDER THAT REFLECTS THE CASE  
DISPOSITION WHEN REQUESTING RETURN OF PASSPORT FROM THE U.S.  
PASSPORT OFFICE. A CERTIFIED COPY OF TODAY'S MINUTE ORDER AND  
THE PASSPORT ISSUED IN THE NAME OF CONRAD ROBERT MURRAY  
ARE FORWARDED TO THE COURT MANAGER FOR PROCESSING AND  
MAILING.

DEFENDANT POSTED BOND FORTHWITH. RELEASE ORDERED ISSUED FOR  
RELEASE OF DEFENDANT.

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:  
04/05/10 830 AM. PRELIM SETTING/RESETTING DIST CRIM JUSTICE CTR (LAC) DEPT  
500

02/08/10 BAIL TO STAND, # 5200032885

PAGE NO. 2

ARRAIGNMENT  
HEARING DATE: 02/08/10

02/09/2010 TUE 17:30 FAX 3107271960

AIRPORT COURT

001

MINUTE ORDER  
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE PRINTED: 02/09/10

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CASE NO. SA073164

THE PEOPLE OF THE STATE OF CALIFORNIA  
VS.  
DEFENDANT 01: CONRAD ROBERT MURRAY  
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BAIL: APPEARANCE DATE	AMOUNT OF BAIL	DATE POSTED	RECEIPT OR BOND NO.	SURETY COMPANY	REGISTER NUMBER
04/05/10	\$75,000.00	02/08/10	5200032885	BANKERS INSURANCE CO	70039003

CASE FILED ON 02/08/10.

COMPLAINT FILED, DECLARED OR SWORN TO CHARGING DEFENDANT WITH HAVING COMMITTED, ON OR ABOUT 06/25/09 IN THE COUNTY OF LOS ANGELES, THE FOLLOWING OFFENSE(S) OF:

COUNT 01: 192(B) PC FEL

ON 02/08/10 AT 830 AM IN AIRPORT COURTHOUSE DEPT 144

CASE CALLED FOR ARRAIGNMENT

PARTIES: KEITH L. SCHWARTZ (JUDGE) STACEY ENSLEY (CLERK)  
MARCY KNOBEL (REP) DAVID B. WALGREN (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY EDWARD CHERNOFF PRIVATE COUNSEL

DEFENDANT STATES HIS/HER TRUE NAME AS CHARGED.

A COPY OF THE COMPLAINT AND THE ARREST REPORT GIVEN TO DEFENDANTS COUNSEL.

DEFENDANT WAIVES ARRAIGNMENT, READING OF COMPLAINT, AND STATEMENT OF CONSTITUTIONAL AND STATUTORY RIGHTS.

DEFENDANT WAIVES FURTHER ARRAIGNMENT.

DEFENDANT PLEADS NOT GUILTY TO COUNT 01, 192(B) PC.

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.

DEFENDANT WAIVES TIME AS TO THE 10/60 DAY RULE.  
MATTER SET FOR PRELIMINARY HEARING SETTING AS DAY 0/90