

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date: September 17, 2009

DEPARTMENT 5

HONORABLE: Mitchell L. Beckloff
DEPUTY SHERIFF: NONE

M. Dewey, DEPUTY JUDICIAL ASSISTANT
No REPORTER

<p>BP</p> <p>In re the Estate of Michael Jackson</p>	<p>(Parties and Counsel checked if present)</p> <p>COUNSEL FOR PETITIONER N/A</p> <p>COUNSEL FOR RESPONDENT N/A</p>
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RULING ON SUBMITTED MATTER: SAFE HARBOR PETITION (Probate Code section 21320)

The court has read and considered the petition, its supplements, and the letter of September 15, 2009 responding to the court's September 11, 2009 request for additional information. The second supplement filed September 9, 2009 contained two proposed pleadings (one of which is an objection) at Exhibit/Tab B and Exhibit/Tab C.

The Special Co-Administrators have taken no position on Katherine Jackson's petition. (The Special Co-Administrators initially objected on the grounds that no proposed objection had been filed with the safe harbor petition. That concern is now moot.)

The court finds notice has been given as required by law. While this petition may have been filed by Ms. Jackson in the Probate proceedings instead of the Trust proceedings, the court find there will be no prejudice to any party in having the issue heard and decided in the Probate proceeding. (The court also notes that there is no Trust matter currently pending.)

The court finds that the proposed pleadings at Exhibit/Tab B and Exhibit/Tab C would not be a contest within the meaning of the Trust's no contest clause.

While the proposed objection addresses (among other things) undue influence, the court finds that the allegation of undue influence is made in connection to an objection to the appointment of a fiduciary and such an objection as a public policy matter may not be deemed a contest. (Prob. Code sec. 21305, subd. (b)(7).)

A copy of this minute order is sent to counsel as shown by way of first-class mail as shown on the Clerk's Certificate of Service:

Burt Levitch, Esq., Rosenfeld, Meyer & Susman, _____

Paul Hoffman, Esq., Hoffman, Sabban et al., _____

Howard Weitzman, Esq., Kinsella Weitzman et al., _____

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In re the Estate of Michael Jackson

COUNSEL FOR PETITIONER N/A

COUNSEL FOR RESPONDENT N/A

Dean Hansell, Esq., Dewey & LeBeouf,

Margaret Lodise, Esq., Sacks, Glazier, et al.,

Joseph Zimring, Esq., Office of the Attorney General,

I am over the age of 18 years and not a party to the within action. I am familiar with the Los Angeles Superior Court practice for collection and processing of correspondence and know that such correspondence is deposited with postage prepaid with the United States Postal Service the same day it is delivered to the mailroom in the Los Angeles Superior Court. I declare under penalty of perjury under the laws of the State of California that I delivered a true copy of the document to which this is attached to the parties or their attorney addressed as listed above by placing the copy in a sealed envelope to the mail room of this court.

Date: September 17, 2009

JOHN A. CLARKE, Executive Officer/
Clerk of the Superior Court of California,
County of Los Angeles
by: M. Dewey, Deputy Clerk