I consent to the following order:

PETITIONER/PLAINTIFF: JERMAINE L. JACKSON	CASE NUMBER:
RESPONDENT/DEFENDANT: ALEJANDRA JACKSON	BD 416 964
6. PROPERTY RESTRAINT a. Consent to the order requested. b. Consent to the order requested. c. Consent to the following order:	
7. PROPERTY CONTROL a. I consent to the order requested. b. I do not consent to the order requested. c. I consent to the following order:	
8. X OTHER RELIEF a. I consent to the order requested. b. I do not consent to the order requested. c. X I consent to the following order: NO ORDERS FOR THE SEALING OF REQUESTED BY PETITIONER BASED ON THE FACT THAT TH AUTHORITY ON WHICH THE COURT CAN GRANT THE REQUES PRESENT MATTER.	ERE APPEARS TO BE NO
9. X SUPPORTING INFORMATION contained in the attached declaration. CONTAINED IN THE ATTACHED MEMORANDUM OF POINTS AND AUT	HORITIES.
NOTE: To respond to a request for domestic violence restraining orders requested in the Request Prevention) (form DV-100) you must use the Answer to Temporary Restraining Order (Domestic VDV-120).	1.2
	nd correct. RE OF DECLARANT)

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TROPE and TROPE ATTORNEYS AT LAW 12121 WILSHIRE BLVD. LOS ANGELES, CA 90025-1171 310-207-8228 323-879-2726

MEMORANDUM OF POINTS AND AUTHORITIES

This Memorandum of Points and Authoritics is submitted in response to Petitioner's ex parte motion for an order sealing documents in this matter, which was denied on an ex parte basis and has been set to be heard on October 22, 2007.

PETITIONER'S REQUEST SHOULD BE DENIED BECAUSE REQUEST GOES BEYOND THE HIS SCOPE OF THE AUTHORITY OUTLINED IN FAMILY CODE \$2024.6 AND DOES NOT MEET THE TEST TO OVERCOME THE RIGHT TO PUBLIC ACCESS AS SET FORTH IN THE BURKEL v. BURKEL DECISION, NOR DOES IT RISE TO THE LEVEL NECESSARY TO FALL WITHIN THE AUTHORITY UNDER CALIFORNIA RULE OF COURT 2.550(d).

Family Code \$2024.6 Authorizes the Court to Seal Pleadings Regarding Location and Identifying Information About a Parties' Assets and Debts.

Respondent objects to Petitioner's request on the basis that there is no legal authority to support the Court issuing an order sealing documents in this matter except as expressly authorized under Family Code \$2024.6, which authorizes the Court to seal pleadings about financial assets and liabilities when the location or identifying information about those assets and liabilities is before the Court and good cause is showing.

Petitioner's present request does not seek to only limit public access to the location and identifying information

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concerning his assets and debts. Pelitioner's requests seeks to limit public access to anything related to his financial matters. This request goes beyond the scope of the Court's authority set forth under Family Code \$2024.6 and should be denied. B.

Burkel v. Burkel Holds That the Presumption That the Right to Public Access to Information Can Only Be Overcome When One Can Establish That on Overriding Interest Exists to Close the Record to Preserve Higher Values. Petitioner Has Not Met this 10 | Test.

Petitioner cites his right to privacy as meeting the Burkel v. Burkel decision overcoming the presumptive right to public access to information. Burkel v. Burkel (2006) 135 CA.4th 1045. One's right to privacy can only be asserted when it meets the Burkel test. The Burkel holding states "presumption of openness may be overcome" by an "overriding interest" that finds "closure is essential to preserve higher values and is narrowly tailored to serve that interest."

In the present molion, Petitioner is attempting to persuade the Court that his discomfort with the public finding out he is telling the Court he is unemployed, makes no money and cannot support his children when the public sees him appearing on television shows and driving a Rolls Royce is an "overriding interest" essential to preserving "higher values." Pctitioner's argument appears to fall short of a need to preserve "higher values." Petitioner contends that if this relief is not granted his future employment and business negotiations will be prejudiced because of the public's perception of Petitioner's ability to

Page 2

support his children. Petitioner also says he will come under scrutiny and this will have a negative impact on the media's attitude about him. This basis does not rise to the level of requiring the relief set forth in the cited case law.

C. For the Reasons Stated Hereinabove, Petitioner Also Falls Short of Establishing That the Records Should Be Sealed under the Authority Set Forth in California Rule of Court 2.550(d).

California Rule of Court 2.550(d) requires that there be a "substantial probability" that an "overriding interest" exists to overcome the right to public access. Here, Petitioner has not established the requisite "substantial probability" that an "overriding interest" exists for Petitioner and the parties' children that overcomes the right of the public access the records. Petitioner's discomfort with how the media or public may view him in light of his allegations that he is unable to support his children is not an overriding interest which should be considered.

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TROPE and TROPE ATTORNEYS AT LAW 12121 WILSHIRE BLVD. LOS ANGELES, CA 90025-1171 310-207-8228 323-879-2726

CONCLUSION.

II.

foregoing, Respondent objects Based on the to Petitioner's request for an order sealing documents in this matter 6 insomuch as it appears that Petilioner has not set forth any basis to establish the Court's authority to grant this request.

October 2007 Dated: TROPE AND TROPE

MEGHANN BONVIE

Attorneys for RESPONDENT,

ALEJANDRA JACKSON

Page 4

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ROPE and TROPE ATTORNEYS AT LAW 1121 WILSHIRE BLVD. LOS ANGELES, CA 90025-1171 310-207-8228 323-879-2726

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within 5 action; my business address is 12121 Wilshire Boulevard, Suite 801, Los Angeles, California 90025.

On October 9, 2007, I served the foregoing documents described as RESPONSIVE DECLARATION TO PETITIONER'S EX PARTE MOTION FOR AN ORDER SEALING DOCUMENTS on the interested party in this action:

[X] BY PLACING

[] the original [X] a true copy thereof enclosed in sealed 10 envelopes addressed as follows:

> Debra A. Opri, Esq. OPRI & ASSOCIATES 8383 Wilshire Boulevard Suite 830 Beverly Hills, CA 90211-2407

VIA PERSONAL SERVICE [X]

I personally delivered such envelope to the offices of the addressee during regular business hours on said date.

I declare, under penalty of perjury, under the laws of the State of California, that the above is true and correct.

Executed October 9, 2007, at Los Angeles, California.

ATTORNEY OR FARTY WITHOUT ATTORNEY (Name, St.).	FOR COURT USE ONLY
TROPE AND TROPE	
BRIAN P. LEPAK (STATE BAR 144196)	
MEGHANN BONVIE (STATE BAR 236858)	
12121 WILSHIRE BOULEVARD, SUITE 801	FILED
LOS ANGELES, CA 90025	
TELEPHONE NO.: (310) 207-8228	LOS ANGELES SUPERIOR COURT
E-MAIL ADDRESS (Optional):	LOS ANGELES
ATTORNEY FOR (Name): ALEJANDRA JACKSON	OCT 0 9 2007
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES	OCI US Zuoi
STREET ADDRESS: 111 NORTH HILL STREET	
	JOHNA CLARKE CLERK
MAILING ADDRESS: SAME	WINDETTE PADILLA, DEPI-
CITY AND ZIP CODE: LOS ANGELES CA 90012	DADILLA DEPI
BRANCH NAME: CENTRAL DISTRICT	AFIRELIE
PETITIONER/PLAINTIFF: JERMAINE L. JACKSON	1
RESPONDENT/DEFENDANT: ALEJANDRA JACKSON	
OTHER PARENT/CLAIMANT:	
INCOME AND SYSTAIGH SECTION	CASE NUMBER:
INCOME AND EXPENSE DECLARATION	BD 416 964
1 Employment (Circo Information and your current job or if you've unemployed your print	d remont lob)
1. Employment (Give Information on your current job or, if you're unemployed, your mos	i recent job.j
a. Employer: WRAP UP	
Attach copies b. Employer's address: 1515 NORTH FAIRFAX AVENUE,	LOS ANGETES, CA 90046
of your pay c. Employer's phone number: (323) 839-2383	
a. Acceptation restraction transforting	
two months c. Date job started: 6/17/07	
(black out f. If unemployed, date job ended:	
Social	
security g. I work about 15-20 hours per week.	
numbers). h. I get paid \$ 15 gross (before taxes) per month	per week X per hour.
c. Number of years of college completed (specify): d. Number of years of graduate school completed (specify): e. I have: professional/occupational license(s) (specify): N/A	est grade completed (specify): nined (specify): N/A obtained (specify): N/A
vocational training (specify): N/A	
3. Tax information	
a. X I last filed taxes for tax year (specify year): 2004	
b. My tax filing status is single head of household married, filing	ng separately
b. My tax ming status is single nead of nodseriold married, min	ig scharatery
X married, filing jointly with (specify name): JERMAINE L. JACKSON	
c. I file state tax returns in X California other (specify state):	
d. I claim the following number of exemptions (including myself) on my taxes (specify)	.: 5
4. Other party's income. I estimate the gross monthly income (before taxes) of the other This estimate is based on (explain): BIG BROTHER CONTRACT PRODUCED BY PETITIONE PETITIONER WAS PAID \$450,000 IN EARLY 2007 FOR HIS APPEARANCE ON THAT SHOW. ADDITION of the other petition number before your answer any questions on this form, attach an 8½-by-1 question number before your answer.) Number of pages attached: ***MADE BY PETITIONER AND BRET LEWIS AT THEIR	ER AT HIS DEPOSITION EVIDENCES THAT ITIONAL DOCUMENTS & STATEMENTS *** 1-inch sheet of paper and write the R DEPOSITIONS INDICATE THAT PETITIONER HAS
MADE MORE THAN THIS AMOUNT THIS YEAR BUT CO	21 1955-0000 26-76 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
I declare under penalty of perjury under the laws of the State of California that the informati	ion contained on all pages of this form and
any attachments is true and correct.	
Date: OCTOBER 4, 2007	
	Man SAMM
ALEJANDRA JACKSON	
(TYPE OR PRINT NAME)	(SIGNATURE OF DECLARANT)
Form Adopted for Mandatory Uco INCOME AND EXPENSE DECLARATION	
Judicial Council of California FL-150 [Rev. January 1, 2007]	Solutions 2100-2113, 3552, 3620-3634, 4050-4078, 4300-4339

	PETITIONER/PLAINTIFF: JERMAINE JACKSON	L NUMBER:		
_	RESPONDENT/DEFENDANT: ALEJANDRA JACKSON OTHER PARENT/CLAIMANT:	BD 416 96	54	
	tach copies of your pay stubs for the last two months and proof of any other income x return to the court hearing. (Black out your social security number on the pay stub	1990 N	550 SA	t federal
5.	Income (For average monthly, add up all the income you received in each category in tand divide the total by 12.)	the last 12 mor	nths Last mont	Average h monthly
	a. Salary or wages (gross, before taxes)		\$62	2 81
	b. Overtime (gross, before taxes)		. \$ <u>ZER</u>	O ZERO
	c. Commissions or bonuses		. \$ ZER	O ZERO
	d. Public assistance (for example: TANF, SSI, GA/GR) currently receiving .		\$ZFR	O ZERO
	e. Spousal support from this marriage from a different marriage		\$ ZER	O ZERO
	f. Partner support from this domestic partnership from a different domest	tic partnership	\$ 7.ER	O ZERO
	g. Pension/retirement fund payments		\$ ZER	O ZERO
	h. Social security retirement (not,SSI)		\$ <u>Zer</u>	O ZERO
	i. Disability: Social security (not SSI) State disability (SDI) Private	e insurance	\$ ZER	O ZERO
	j. Unemployment compensation		\$ZER	O ZFRO
	k. Workers' compensation		\$ ZER	O ZERO
	l. Other (military BAQ, royalty payments, etc.) (specify):		\$ ZER	O ZERO
•	Investment importe (Attack a sehedula abaydus essas receists lana essk -vessas te			
ο.	Investment income (Attach a schedule showing gross receipts less cash expenses for a. Dividends/interest	90 March 10000000 -) 7FDA
	b. Rental property income			
	c. Trust income		W A STATE OF THE S	
	d. Other (specify):			
' .	Income from self-employment, after business expenses for all businesses			
	Type of business (specify): CLOTHING DESIGNER			•
	Attach a profit and loss statement for the last two years or a Schedule C from your social security number. If you have more than one business, provide the information			
-	Additional income. I received one-time money (luttery winnings, inheritance, etc.) amount):	in the last 12 r	nonths (specif)	source and
•	Change in Income. My financial situation has changed significantly over the last 12	2 months beca	use (specify):	
0.	Deductions a. Required union dues			Last month
	h. Required retirement payments (not social security, FICA, 401(k), or IRA)			
	c. Medical, hospital, dental, and other health insurance premiums (total monthly amoun	1.758		
	d. Child support that I pay for children from other relationships			
	e. Spousal support that I pay by court order from a different marriage			
	f. Partner support that I pay by court order from a different domestic partnership g. Necessary job-related expenses not reimbursed by my employer (attach explanation			20 UP 34 3945 - 40 - 34 34 34 34 34 34 34 34 34 34 34 34 34
		INDRIGO GUES	uon iog j	
	Assets a. Cash and checking accounts, savings, credit union, money market, and other deposit	t accounte		Total \$ -198
	b. Stocks, bonds, and other assets I could easily sell			
	C. Wil Office higherth' [V] ice and [V] hereong feetings all market same millos	ue nanto Aon o	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	₩ ∆ERU

FL-150

RESPONDENT/DEFENDANT: ALEJZ OTHER PARENT/CLAIMANT:	ANDRA JA	CKSON		BD 416 96	54
12. The following people live with me	e:				
Name	Age	How the person is related to me? (ex: son)	That perso monthly inc		Pays some of the household expenses?
a. SEE ATTACHMENT #12 b. c. d.					Yes No Yes No Yes No Yes No
e.					Yes No
a. Home: (1) Rent or mortgal: If mortgage: (a) average principal: \$	urance	\$	Laundry and Clothes Education Entertainmer Auto expense (insurance, ginsurance (iif nolude auto, Savings and Charitable co Monthly paymenize below Other (specification)	cleaning It, gifts, and values and transpolations, but the few pairs, but the few pairs, but the few pairs and transpolations are pairs, but the few pairs are the few p	c.; do not th insurance) \$\$ tem 14\$ ert total here) \$\$
g. Telephone, cell phone, and e-ma SEE ATTACHMENTS 13.a		\$	· · · · · · · · · · · · · · · · · · ·	xpenses pald	
4. Installment payments and debts n	ot listed abo	076			
Paid to	For		Amount	Balance	Date of last paymer
· ·				\$	
			<u> </u>	\$	
				\$	
				\$	
		9		\$	
		3		\$	
5. Attorney fees (This is required if either. a. To date, I have paid my attorney b. The source of this money was (s	this amount pecify): BOI	for fees and costs (specify RROWED FROM AUNT)			
c. I still owe the following fees and): \$ 90,62	2.96 AS OF	9/30/07
d. My attorney's hourly rate is (spec	city): \$ VAR	IES HR./ATTY.			
confirm this fee arrangement. pate: OCTOBER. 7, 2007			n. ()		
ROPE AND TROPE / MEGHANN			UX	SIGNATURE OF ATT	ORNEY)

INCOME AND EXPENSE DECLARATION

L-150 [Rev. January 1, 2007]

FL-150

Page 3 of 4

<u> </u>			FL-150
	HUNER/PLAINTIFF: JERMAINL L. JACKSON DENT/DEFENDANT: ALEJANDRA JACKSON	L NUMBER:	
	PARENT/CLAIMANT:	BD 416 964	
6 Numbe	CHILD SUPPORT (NOTE: Fill out this page only if your of children		
a. I have b. The		on, please describe your parenting schedule he	
a b. Nam	en's health-care expenses I do X I do not have health insurance available to be of incurance company: ress of insurance company:	o me for the children through my job.	
(Do	monthly cost for the children's health insurance is or wou not include the amount your employer pays.)		
	nal expenses for the children in this case	Amount per month	
	d care so I can work or get job training		
	dren's health care not covered by insurance		.b.
d. Child	el expenses for visitation	\$ <u>600</u>	
	hardships. I ask the court to consider the following speci- documentation of any item listed here, including court order	ers):	nany months?
a Extra	aordinary health expenses not included in 18b	S ZERO ZERO	
b. Majo	r losses not covered by insurance (examples: fire, theft, of	ther	
c. (1) E	expenses for my minor children who are from other relation reliving with me	ships and <u>SINCLUDED IN 13</u> INCLUDED	IN 13
(2) N	lames and ages of those children (specify): GENEVIEVI GE 15; AND RANDY JACKSON, AGE 14		AMS,
(3) C	child support I receive for those children	S ZERO ORDER IN PL	ACE FOR GENEV
The ex	penses listed in a, b, and c create an extreme financial ha	ardship because (explain); PAY IT	ONER DOES NOT
OCCASIO	formation I want the court to know concerning support NALLY AND NOT CONSISTENTLY MRS. JACKSON WILL GIV S I NEED. SINCE 1/07 2007 SHE GAVE ME THE FOLLOW	E ME A COUPLE HUNDRED DOLLARS FOR FOOD O	

ATTACHMENT #12

3

TO INCOME AND EXPENSE DECLARATION

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12. The following people live with me:

					والمراجع والم والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراج	
б 7	23			How the person is related to	That person's gross monthly income	Pays some of the household expenses?
8	Name		Age	me?		
9	а.	Katherine Jackson	78	Mother-in- law	Unknown	Yes
LO	b.	Genevieve Jackson	17	Daughter	Zero	No
7	c.	Donte Williams	15	Son	Zero	No
2	d.	Randy Jackson	15	Son	Zero	No
3	ę.	Jaafar Jackson	11	Son	2ero	No .
	f.	Jermajesty Jackson	7	Son	Zero	No
4	g.	Trent Jackson	44	Cousin-in- law	Zero	No
/U-44-70	6 000000000000000000000000000000000000	DE TANK AND AND THE TANK AND TH	- 19	\$	8 - 10 - 10 - 10 - 10 - 10 - 10 - 10 - 1	The property of the property o

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323-879-2726

Page 1

ATTACHMENT #12 TO INCOME AND EXPENSE DECLARATION

8b I:\wpdata\SS97\ATT 2007-10-09 Attachment to FL-150.wpd(9)

Household

Amount

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OPE and TROPE TORNEYS AT LAW 21 WILSHIRE BLVD. OS ANGELES, CA 90025-1171

310-207-8228

323-879-2726

Respondent is Currently Responsible1

ATTACHMENT 13.a to FL-150

Estimated Monthly Expenses For Which

8	H			
7		Α.	Groceries	\$ 1,500
8		В.	Eating out	1,000
9		C.	Cell phone	200
10		D.	Entertainment, gifts, vacations	1,200
11		E.	Pet expenses	1,000
12	2.	Tran	sportation	
13		A.	Automobile lease payment	995
14		В.	Gas for automobile	1,100
15		C.	Repairs	200
16		D.	Automobile insurance	246

1 Respondent and her five children currently live with Katherine Jackson, Petitioner's mother, and does not have to pay rent or utilities, etc. However, Respondent is still responsible for her own expenses and the children's expenses. (Occasionally, but not consistently, Katherine Jackson and Petitioner give money to Respondent. Please see #20 on Form FL-150).

Page 1

1	In re Marriage of JACKSON L.A.S.C. Case No. BD 416 964
2	3. <u>Children's Direct Expenses</u> ?
3	A. Clothing
4	B. School supplies
5	C. Registration 50
6	D. Allowances
7	E. Grooming
8	F. Uncovered medical ³
9	G. Tutor for Jermajesty ⁴
10	4. Respondent's Personal Expenses
11	A. Clothing
12	B. Grooming/beauty
13	
14	
15	
16	² Respondent is financially responsible for her five children, Genevieve Jackson, age 17, and Randy Jackson, age 14,
17	are Randy Jackson's children but he does not financially support
18	py Jermaine and Respondent but Donte has called the parties "mom"
19	and "dad" since he was 2-years old and they have financially, emotionally and physically cared for Donte since that time.
20	Jaafar Jackson, age 11, and Jermajesty Jackson, age 6, are Respondent's children with Jermaine Jackson. Jermaine has provided
21	no financial assistance for Donte since he moved out of the family residence in March, 2007. Jermaine's financial assistance for
22	Jaafar and Jermajesty are set forth in number 20 to form FL-150.
23	
24	health insurance (neither is Respondent). Fortunately, the children have not needed to go to their Doctor or had any injuries
25	health insurance (neither is Respondent). Fortunately, the children have not needed to go to their Doctor or had any injuries recently which required medical attention or medicine. However, it is needed and Respondent approximates the monthly cost at 1,000/month regardless of whether she lives with Katherine Jackson or on her own. I germajesty needs to be tutored because he is having trouble in school. Respondent has been unable to afford this expense but it is necessary.
26	1,000/month regardless of whether she lives with Katherine Jackson or on her own.
27	' Jermajesty needs to be tutored because he is having trouble
28	in school. Respondent has been unable to afford this expense but

Page 2

TORNEYS AT LAW 121 WILSHIRE BLVD. LOS ANGELES, CA 90025-1171 310-207-8228 323-879-2726 it is necessary.

ATTACHMENT 13.a to FL-150

Page 3

ATTACHMENT 13.a to FL-150

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323-979-2726

ROPE and TROPE

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These debts are currently past due and the amounts set forth are the entire balances owed approximately at this time. Currently, Respondent is unable to make payments on these debts but she will have to pay them eventually regardless of whether Respondent is living with Katherine Jackson or on her own.

This total represents all expenses herein added except the debts on which Respondent must pay under number 5. the debt amounts listed are the entire balances owed. Respondent has approximated having to pay the debts back at the rate of \$100 per month. Therefore, \$11,741 represents all expenses herein plus \$800 as and for the debts listed under number 5.

Household

Amount

ATTACHMENT 13.b. to FL-150

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ROPE and TROPE ITTORNEYS AT LAW 1121 WILSHIRE BLVD. LOS ANGELES, CA 90025-1171

310-207-8228

323-879-2726

ATTACHMENT 13.b. to FL-150

Estimated Monthly Expenses Respondent Will Need Upon Moving Out of Katherine Jackson's Home

	Α.	Rent ¹	7,000
	В.	Furniture & furnishings ²	1,000
	c.	Groceries & household supplies	2,500
	D.	Eating out	1,000
	Ε.	Utilities (gas, electric, water, trash,	
		Cable) .	1,800
	F.	Telephone	200
	G.	Laundry & cleaning	200
	н.	Entertainment, gifts, vacations	1,200
	I.	Pet expenses	1,000
2.	Tran	sportation	
	Α.	Automobile lease payment	995
	B.	Gas for automobile	1,100
	C.	Repairs	200
	D.	Automobile insurance	246

This estimated proposed need is based on research Respondent has conducted in her area for a 5 bedroom home with a pool to meet the children's reasonable needs.

Page 1

² Upon obtaining her own residence Respondent will need to purchase furnishings and turniture as she currently has little to none. This will be a very large expense. Respondent's monthly proposed need is based on the monthly expense to pay off a large furniture purchase over 2-3 years.

1	<u>In</u> r	e Mar	riage of JACKSON	L.A.S.C.	Case 1	No. BD	416	964
2	3.	Chil	dren's Direct Expenses3					
3		Α.	Clothing				1,0	000
4		B.	School supplies				1	.00
5		C.	Registration					50
G		D.	Allowances				1	00
7		E.	Grooming				2	50
8		F.	Unconvered medical4				1,0	00
9		G.	Tutor for Jermajesty ⁵				6	00
10	4.	Resp	ondent's Personal Expenses					
11		Α.	Clothing				2	00
12		в	Grooming/beauty				2	00
13								
14								

Respondent is financially responsible tor her five children, Genevieve Jackson, age 17, and Randy Jackson, age 14, are Randy Jackson's children but he does not financially support them consistently. Donte Williams, age 15, is not formally adopted by Jermaine and Respondent but Donte has called the parties "mom" and "dad" since he was 2-years old and they have financially, emotionally and physically cared for Donte since that time. Jaafar Jackson, age 11, and Jermajesty Jackson, age 6, are Respondent's children with Jermaine Jackson. Jermaine has provided no financial assistance for Donte since he moved out of the family residence in March, 2007. Jermaine's financial assistance for Jaafar and Jermajesty are set forth in number 20 to form FL-150.

Page 2

OPE and TROPE
TORNEYS AT LAW
21 WILSHIRE BLVD.
DS ANGELES, CA
90025-1171
310-207-8228

323-879-2728

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Donte, Jaafar and Jermajesty are currently not covered by health insurance (neither is Respondent). Fortunately, the children have not needed to go to their Doctor or had any injuries recently which required medical attention or medicine. However, it is needed and Respondent approximates the monthly cost at 1,000/month regardless of whether she lives with Katherine Jackson or on her own.

⁵ Jermajesty needs to be tutored because he is having trouble in school. Respondent has been unable to afford this expense but it is necessary.

		•						
1	In re Marriage c	of JACKSON	L.A.S.C.	Case	No.	BD	416	964
2	5. Debts on Wh	ich Respondent Must	Pay ⁶					
3	A. Sprint	(service cancellati	on and					
4	over	due balance)					1,2	00
5	B. Paul E	ncarto (car, living	expenses					
6	And	business loan)					20,0	00
7	C. Mr. Ro	ss (prep. of 2005 ta	(xes)				3	00
8	D. Claudi	a Martinez (business	loan)				5,0	00
9	E. Mariam	Rodriguez (living e	xpenses)				1,1	00
10	F. Sandy	Stein (living expens	es)				2	00
11	G. Margo	LA tax service (busi	ness tax					
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14								
15			OTAL			\$2	2,74	17
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Page 3

ATTACHMENT 13.b. to FL-150

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These debts are currently past due and the amounts set forth are the entire balances owed approximately at this time. Currently, Respondent is unable to make payments on these debts but she will have to pay them eventually regardless of whether Respondent is living with Katherine Jackson or on her own.

This total represents all expenses herein added except the debts on which Respondent must pay under number 5. the debt amounts listed are the entire balances owed. Respondent has approximated having to pay the debts back at the rate of \$100 per month. Therefore, \$22,741 represents all expenses herein plus \$900 as and for the debts listed under number 5.

Respondent has received a total of three checks from Wrap Up since beginning employment with the company on August 17, 2007. Two checks are provided herewith (numbers 2012 and 2035).

1 E E

Respondent has received one more check on, or around September 20, 2007 for 21 hours of her time for \$315.00. She was unable to locate a copy of this check.

All checks paid to Respondent to date have been gross amounts as no taxes are being withheld yet.

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323-879-2726

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of Callfornia. I am over the age of 18 and not a party to the within action; my business address is 12121 Wilshire Boulevard, Suite 801, Los Angeles, California 90025.

On October 9, 2007, I served the foregoing documents described as RESPONDENT'S INCOME AND EXPENSE DECLARATION on the interested party in this action:

[X] BY PLACING

[] the original [X] a true copy thereof enclosed in sealed envelopes addressed as follows:

> Debra A. Opri, Esq. OPRI & ASSOCIATES 8383 Wilshire Boulevard Suitc 830 Beverly Hills, CA 90211-2407

VIA PERSONAL SERVICE [X]

I personally delivered such envelope to the offices of the addressee during regular business hours on said date.

I declare, under penalty of perjury, under the laws of the State of California, that the above is true and correct.

Executed October 9, 2007, at Los Angeles, California.

PROOF OF SERVICE

PETITIONER/PLAINTIFF: JERMAINE L. JACKSON	CASE NUMBER:
RESPONDENT/DEFENDANT: ALEJANDRA JACKSON	BD 416 964
6. PROPERTY RESTRAINT a. I consent to the order requested. b. I do not consent to the order requested. c. I consent to the following order:	
7. PROPERTY CONTROL a. Consent to the order requested. b. Consent to the order requested. c. Consent to the following order:	
8. X OTHER RELIEF a. L consent to the order requested. b. X I do not consent to the order requested. c. X I consent to the following order: Deny Petitioner's Motion to Nullity.	Amend the Petition to
9. X SUPPORTING INFORMATION	
X contained in the attached declaration.	rriam Podrianez
See attached Declarations of Alejandra Jackson and My	Tram Rouriguez.
NOTE: To respond to a request for domestic violence restraining orders requested in the Requerement of Prevention) (form DV-100) you must use the Answer to Temporary Restraining Order (Domestic DV-120).	1980)
Date: October, 2007 ALEJANDRA JACKSON (TYPE OR PRINT NAME)	e and correct. ATURE OF DECLARANT)

MEMORANDUM OF POINTS AND AUTHORITIES

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22 Petitioner claims he only learned about Respondent's prior

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TROPE and TROPE WYT TA SASANDALIV 12121 WILSHIRE BLVD. LOS ANGELES, CA 90026-1171 310-207-8228

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Page 1 MEMORANDUM OF POINTS AND AUTHORITIES

an advantage in the current proceedings.

ET I.\wpdata\3397\MFA 2007-10-09 Response P&A (Nullity), wpd (9)

INTRODUCTION

Petitioner JERMAINE JACKSON is estopped from seeking to nullify his marriage to Respondent ALEJANDRA JACKSON on the grounds Pelilioner knew about Respondent's prior marriage, chose to ignore it, engaged in a licensed wedding ceremony with Respondent thereafter, signed a marriage certificate reaffirming 10 the marriage, and continued to hold himself out as validly married to Respondent, even filing joint tax returns during the years 12 thereafter. In the alternative, Petitioner and Respondent are 13 putative spouses based on their belief that their marriage was 14 valid. Under either ground, Petitioner and Respondent should be afforded the rights and obligations owing to spouses and Petitioner should be denied an award of attorneys fees.

II.

FACTS

ceremony on March 13, 1995. Prior to the parties' marriage,

Respondent was married to Mr. Nicholas Ray in Las Vegas.

marriage in 2004. This is false, and is being made only to avoid

having to pay spousal support or share any interest in any

community property the parties acquired during their marriage.

Petitioner's motion for leave to amend his Petition to a nullity

proceeding is not timely and is made in bad faith in order to gain

Petitioner and Respondent were married in a licensed

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Prior to her marriage to Petitioner, Respondent informed Petitioner of her union with another man, the reason for that union, and her wholehearted belief that the union was not valid because the marriage was never consummated. Respondent did not identify to Petitioner at that time the name of the man she had married. Knowing of Respondent's prior marriage, and knowing that Respondent is the mother of two children with Petitioner's brother, Randy Jackson, Petitioner still insisted on marrying

After the parties' marriage, for the past twelve years 12 until 2007, the parties continued to reside together and hold 13 themselves out as a married couple. They have filed joint tax 14 returns since that time, and they have had two children together 15 names Jaafar Jackson, D.O.B. 7/25/96, and Jermajesty Jackson, ■ D.O.B. 10/7/00.

A few months after the parties were married, one of 18 Respondent's friends approached Respondent and advised Respondent that she should seek legal assistance regarding her prior marriage to Mr. Ray. Encouraged by her friend, Respondent sought such legal assistance in Nevada. As a result of such consultation, Respondent had her marriage to Mr. Ray annulled on September 20, 1995.

In 1997, Randy Jackson learned from his brother Jackie and Respondent's friend about Respondent's prior union and that Respondent had subsequently sought an annulment of this union after she was married to Petitioner. Randy Jackson was unhappy about Petitioner's marriage to Respondent. Randy had told Alejandra he was unhappy about her marrying Jermaine.

effort to disrupt the union, Randy Jackson spoke to Petitioner about Respondent's prior marriage to Mr. Ray.

After the conversation between Randy Jackson and Petitioner, Petitioner and Respondent again spoke about Respondent's prior union, the subsequent annulment, and their own marriage. It was at this time that Respondent revealed to Petitioner the name of the man she had married. Even after his conversations with Randy Jackson and Respondent, Petitioner's view 10 of his marriage to Respondent did not change. Petitioner sought 11 to calm Respondent's concerns regarding his commitment to her. 12 Petitioner confirmed to Respondent's aunt that he wanted to affirm his marriage to Alejandra by resigning a marriage license and certificate together. To reaffirm their marriage, in September 1998, the parties re-signed a license and certificate of marriage. The parties continued to hold themselves out as husband and wife. They even subsequently had another child together named Jermajesty Jackson on October 7, 2000.

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III.

HAVING KNOWN OF RESPONDENT'S PRIOR MARRIAGE CONTINUING TO HOLD HIMSELF OUT AS AND RESPONDENT'S HUSBAND, PETITIONER IS ESTOPPED FROM DENYING THE VALIDITY OF THE MARRIAGE.

Under the estoppel theory, the invalidity dissolution action cannot be raised by a party who has, among other things, married knowing the other party's prior marriage had not been legally terminated. In Re Marriage of Recknor (1982) 138 Cal.App.3d 539, 187 Cal.Rptr. 887.

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MEMORANDUM OF POINTS AND AUTHORITIES

TROPE and TROPE ATTORNEYS AT LAW 12121 WILSHIRE BLVD. LOS ANGELES, CA 90025-1171 3:0-207-8228

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In Recknor, a husband and wife married, both knowing that wife had a prior marriage which had not been dissolved. Wife's prior marriage was dissolved the following year, but the parties did not have a second marriage ceremony. Fifteen years and one additional child later, the parties sought dissolution of their marriage. Husband objected to paying spousal support and attorney's fees on the grounds there was never a valid marriage. The court held that husband was estopped to deny the validity of 10 the marriage after 15 years. Wife was awarded spousal support and 11 attorney's fees. In so holding, the Court stated:

> "The elements of estoppel are representation or promise; made with knowledge of the facts; to a party ignorant of the truth; with the intent that the other party act on it; and the other party has, in fact, been induced to rely on it. [Citations.] [¶] Estoppel is applied to prevent a person from asserting a right where his conduct or silence makes it unconscionable for him to assert it. [Citation.] [¶] In this case, [husband] was properly estopped to deny that he was validly married to [wife]. He went through a formal marriage ceremony with her, knowing that her divorce was not final, and continued to live with her as her husband for 15 years, during which time they had two children. Further, (husband) waited almost 15 years to attempt to assert the invalidity of his marriage to [wife]." <u>Id.</u> at pp. 546-547.

As in the Recknor case, Petitioner was aware of Respondent's prior marriage at the time he married Respondent in a coromony on March 13, 1995. Nevertheless, since that time, he chose to marry Respondent, and to continually hold himself out as married to Respondent. Petitioner filed joint tax returns with Respondent. He had children with Respondent. He even filed this Petition for dissolution of his marriage to Respondent.

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MEMORANDUM OF POINTS AND AUTHORITIES

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TROPE and TROPE ATTORNEYS AT LAW 12121 WILSHIRE BLVO. LOS ANGELES, CA 90025-1171 310-207-8228 323-8/9-2/20

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Even if one were to argue that Petitioner was not fully aware of the validity of Respondent's prior marriage based on Respondent's representation that it had never been consummated, Petitioner was fully aware of all facts by 1998 when Petitioner signed a second license and certificate of marriage with Respondent. Petitioner and Respondent continued to hold themselves out as husband and wife after that time, even having another child together in 2000.

Based on the strikingly similar recitation of facts between the present case and the Recknor case, Petitioner should be estopped to now deny the validity of his marriage to Respondent.

IV.

PETITIONER AND RESPONDENT ARE PUTATIVE SPOUSES

Family Code Section 2251(a) states that:

"If a determination is made that a marriage is void or voidable and the court finds that either party or both parties believes in good faith that the marriage was valid, the court shall: (1) declare the party or parties to have the status of a putative spouse. (2) If the division of property is an issue, divide, in accordance with Division 7 (commencing with Family Code section 2500), that property acquired during the union which would have been community property or quasi-community property if the union had not been void or voidable. This property is known as 'quasi-marital property'."

Under Family Code \$2254, if a Court finds that the parties hold the status of putative spouses based on their good faith belief that their marriage was valid, the Court may order a party to pay for the support of the other party in the same manner

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MEMORANDUM OF POINTS AND AUTHORITIES

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as if the marriage had not been void or voidable in a proceeding for nullity or upon judgment of nullity of marriage.

The status of putative spouse requires innocence or good faith belief. "An innocent participant who has duly solemnized a matrimonial union which is void because of some legal infirmity acquires the status of putative spouse." In Rc Marriage of Reckner (1982) 138 Cal.App.3d 539 at 544.

> "A proper assertion of putative spouse status facts that would cause must rest on reasonable person to harbor a good faith belief in the existence of a valid marriage. Where there has been no attempted compliance with the procedural requirements of a valid marriage, and where the usual indicia of marriage and conduct consistent with a valid marriage are absent, a belief in the existence of a valid marriage, although sincerely held, would be unreasonable and therefore lacking in good faith."

In Re Marriage of Dryonis (1988) 202 Cal. App. 3d 712, 238 Cal. Rptr. 807

In the present case, Petitioner and Respondent held a good faith belief they were legally husband and wife. They attempted to comply with the procedural requirements of a valid marriage not once, but twice. Both times, unbeknownst to them, 22 they fell short of meeting the requirements. However, the parties reasonably believed that both times they were complying with the requirements in order to have a valid marriage.

The solemnization of weddings requires consent, a marriage license, a wedding ceremony, return of the endorsed license to the recorder, and a certificate of registry of marriage. Here, Petitioner and Respondent followed these

Page 6

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advantage, and consequently Respondent be disadvantaged, from events which both parties equally took part in.

Petitioner's request for attorney's fees and costs in connection with having to bring the instant motion and argue same should be denied as Respondent has had to incur equal, if not more fees and costs in opposing this motion and collecting evidence to disprove Petitioner's misleading position.

VI.

CONCLUSION

For the reasons stated hereinabove, Respondent respectfully requests that Petitioner's motion to amend his Petition of Dissolution to one of nullity and for an award of attorney's fees and costs be DENIED.

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Dated: October 9, 2007

TROPE AND TROPE

By:

MEGHANN BONVIE

Attorneys for Respondent,

ALEJANDRA JACKSON

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MEMORANDUM OF POINTS AND AUTHORITIES

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ROPE and TROPE ATTORNEYS AT LAW 12121 WILEHIRE DLVD. LOS ANGELES, CA 90025-1171 310-207-8228

DECLARATION OF ALEJANDRA JACKSON

I, ALEJANDRA JACKSON, declare:

- 1. I am the Respondent in the above-entitled action. I have firsthand, personal knowledge of the facts stated herein, and if called as a witness, I could and would competently testify thereto.
- 2. I submit this declaration in response to Petitioner's Motion for leave to amend his petition for 10 dissolution to a petition for an annulment and for attorney's 11 fees and costs in connection with his motion.
- 3. Petitioner begins his declaration that at the time we were married on March 13, 1995, I had represented that I had never previously been married. This is untrue. I did 15 | tell Petitioner that there was a union between myself and a man in Las Vegas. When I told Petitioner about this prior union I 17 | told him that I didn't believe that it was a valid marriage because it was never consummated. This was based on my 19 understanding that a marriage was not valid unless it was consummated. Jermaine's reaction was that he did not care about anything that had happened prior to our relationship and 22 | that he only wanted to marry me and have a family. In fact, it was Jermaine who pressured me to marry him even Lhough I was worried that it would cause a conflict in his family based on my prior relationship with his brother, Randy Jackson.
 - Jermaine and I were married on March 13, 1995. A true and correct copy of our marriage license and certificate is attached herewith and incorporated herein by reference as

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ROPE and TROPE

ATTORNEYS AT LAW 12121 WILSHIRE BLVD. LOS ANGELES, CA 90025-1171 310-207-8228

2 Exhibit 1. In or around that summer of 1995 a friend of mine and the Jackson family, who's name is Helen, who was aware of 4 my previous union to Nicolas Ray, told me that my understanding of the marriage to Mr. Ray being invalid because it was never consummated may not be the correct understanding and I should seek legal assistance to annul my marriage to Mr. Ray.

- I immediately sought legal assistance in Nevada and on September 20, 1995 my union with Mr. Ray was annulled. 10 A true and correct copy of the decree of annulment is attached 11 hereto and incorporated herein by reference as Exhibit 2.
- In 1997, Jermaine's brother, Randy Jackson, also the father of two of my older children, learned through his 14 | brother Jackie Jackson and our mutual friend Helen about my 15 previous union to Mr. Ray. Randy knew of my marriage to 16 Jermaine in 1995. Randy obtained information from Jackie and Helen in 1997 that I had been married to Mr. Ray at the time of my marriage to Jermaine. From the outset, Randy was not happy about my relationship with Jermaine. Thus, upon confirming the information he had learned from Jackie and Helen in 1997, Randy telephoned Jermaine in 1997 and conveyed the information to 22 Jermaine regarding my previous marriage to Nicolas Ray.
 - Randy and Jermaine spoke on the phone in 1997 regarding my marriage to Nicolas Ray at the time that Jermaine married. Shortly after their telephone and were conversation, Jermaine and I again discussed my previous union to Nicolas Ray. Jermaine told me that Randy had told him that I was married to Nicolas Ray at the time of our marriage and

about my subsequent annulment to Mr. Ray. During this conversation we also talked about my two children with his brother Randy. Jermaine stated that he "didn't care about anything prior to our relationship" and he only wanted to "marry me" and "have a family."

After expressing my concerns to Petitioner regarding the validity of my previous union to Mr. Ray, Jermaine agreed to sign a second marriage license and 10 certificate of declaration of marriage with me in 1998 to 11 reaffirm our March 13, 1995 marriage. Attached herewith is a 12 true and correct copy of the License and Certificate of 13 Declaration of Marriage signed by myself and Petitioner in 1998 and incorporated herein by reference as Exhibit 3. Petitioner 15 and I signed the declaration believing that it was validating and confirming the fact that we were married March 13, 1995 and 17 | that we intended to be husband and wife. My aunt was one of 18 the witnesses of Jermaine and I signing the second license and 19 certificate of marriage and her declaration is attached herewith regarding our signing of the license and certificate. Jermaine and I told my aunt on a telephone conversation about 22 my previous marriage and annulment and that this was the reason that she needed to witness our resigning.

9. In his declaration, Fetitioner accuses me of perjury on the license and certificates of marriage. I did not check the boxes indicating a prior marriage that ended in "Death," "Dissolution," or "Annulment," because at the time that the document was signed in 1995 I believed that I had not

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2 been validly married. At the time of the signing of the 3 document in 1998 I believed that the word "prior" meant only 4 the marriage of Jermaine and I in 1995 and as far as I was 5 concerned that had not ended by death, dissolution 6 annulment. I am primarily Spanish-speaking and I sometimes have misunderstandings due to language barriers.

10. Petitioner claims that I informed him of my previous union to Nicolas Ray "for the very first time" in 10 2004. That is a blatant lie. As set forth herein, I informed 11 Petitioner of this previous union in 1995, prior to our 12 marriage and again in 1997 after Randy had spoken to Jermaine. The only information that I withheld from Jermaine in 1995 was the name of the person to whom I had married. However, in 1997 I told Jermaine that it was Nicolas Ray.

11. As for the Petitioner's claim that he "broke off" the relationship with me in 2004, this is also untrue as we continued to have an intimate relationship, family outings, and it appeared to the world that we were and continued to be a married couple. Admittedly, Petitioner was apparently committing adultery, however, I still believe that though we 22 may have had problems, we were working on our marriage. This was reinforced by Petitioner's statements to me that he loved me and the intimate times that we shared up until the time that he moved out of the family residence in June of 2007.

In summation, I did not lie to Petitioner about prior marriage. I was forthright about any and all information of the facts as I understood them and believed them

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to be true at the lime that Petitioner insisted on marrying me

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TROPE and TROPE ATTORNEYS AT LAW 12121 WILSHIRE BLVD. LOS ANGELES, CA 90025-1171

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before he traveled to Africa. If I had believed that I was indeed married to Mr. Ray legally in March of 1995, I would have never agreed to marry Jermaine at that time. As soon as I was advised that my understanding of my union with Mr. Ray may be incorrect, I sought legal assistance and annulled that marriage. Subsequently, Jermaine and I attempted to reaffirm our union by signing the license and certificate of marriage in 10 1998 because we believed and intended to be married and held 11 ourselves out to be husband and wife. In fact, Jermaine and I 12 Went on to have another child together on October 7, 2000, 13 which was the day our son, Jermajesty, was born. In total, 14 Jermaine and I had two children together, Jaafar, (d.o.b. 15 7/25/96), and Jermagesty, (d.o.b. 10/7/00). Throughout our 16 marriage, we lived together, attended family functions, gave 17 each other gifts, filed joint tax returns, held each other out 18 | to be husband and wife, were intimate and Jermaine supported me 19 and all our children, both biological, de facto, and my own 20 from my previous relationship.

13. For the reasons stated herein, I am requesting that the Court deny Petitioner's motion to amend his petition for dissolution to one of nullity because Petitioner is falsely stating the facts surrounding this issue in order to now receive a benefit by claiming that our marriage was never valid. Furthermore, I am requesting that the Court Petitioner's request for attorney's fees and costs in connection with bringing this motion because I believe the

2 motion is brought in bad faith and has been an unnecessary use of this Court's time and attorney expense in preparing the 4 motion and for me to oppose his motion. Petitioner knows the 5 truth and is using the law to try to gain an advantage by 6 misleading this Court regarding the facts surrounding this issue.

I declare, under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

, 2007 at Los Angeles, California. 10 Executed October

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ROPE and TROPI ATTORNEYS AT LAW 12121 WILSHIRE BLVD. LOS ANGELES, CA 90025-1171

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DECLARATION OF ALEJANDRA JACKSON

competently testify thereto.

Alejandra Jackson,

the

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DECLARATION OF MYRIAM RODRIGUEZ

I have firsthand, personal knowledge of the facts stated

herein, and if called as a witness, I could and would

Alejandra's opposition to Jermaine's Motion to Amend

aunt

witnesses to Jermaine and Alejandra's signing of their second

license and certificate of marriage in approximately September

1998, I was contacted by Jermaine Jackson and Alejandra Jackson

via telephone. Alejandra told me I was on speaker phone with

her and Jermaine and that they needed to ask me to help them by

coming over and witnessing their signatures in order to

validated and Alejandra told me about her previous marriage to

Mr. Ray and her subsequent annulment and this was necessary to

confirm and erase any doubt about Alejandra's marriage

5. At that point I asked why it needed

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1. I am not a party in the above-entitled action.

I submit this declaration in connection with

In approximately late August, early September of

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I, MYRIAM RODRICUEZ, declare:

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10 Petition for Dissolution to one of Nullity.

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12 Respondent in the above-entitled action. I also was one of the

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Jermaine.

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TROPE and TROPE

ATTORNEYS AT LAW

validate their marriage to each other.

- 6. Alejandra asked me to come over in order to be one of their witnesses on the document and Jermaine chimed in in a joking and happy voice, "Yeah Tia, hurry up and come over because we need to do this again." Jermaine frequently called me Tia because it means aunt in Spanish.
- 7. Pursuant to their request, I came Jermaine and Alejandra's home and witnessed Jermaine and Alejandra sign the license and certificate of marriage, which 10 stated that they were married March 13, 1995. It was apparent 11 that Jermaine and Alejandra intended to be married and be held 12 as husband and wife. It was all of our understanding that by 13 them resigning this document in the presence of two witnesses 14 | it would validate their March 13, 1995 marriage.
- 8. A true and correct copy of the document that I 16 signed as a witness to Jermaine's and Alejandra's signatures is 17 attached herewith and incorporated herein by reference as 18 Exhibit 3.

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I declare, under penalty of perjury, under the laws of the 21 State of California, that the foregoing is true and correct.

Executed October , 2007 at Los Angeles, California.

See Attached Facsimile Signature

MYRIAM RODRIGUEZ

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TROPE and TROPE ATTORNEYS AT LAW 12121 WILDHIRE DLVD LOS ANGELES, CA

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310-207-8228

Page 2

DECLARATION OF MYRIAM RODRIGUEZ

In re Marriage of JACKSON

L.A.S.C. Case No. BD 416 964

- Alejandra asked me to come over in order to be one of their witnesses on the document and Jermaine chimed in in a joking and happy voice, "Yeah Tia, hurry up and come over 5 because we need to do this again." Jermaine frequently called 6 me Tia because it means aunt in Spanish.
- Pursuant to their request, I came over and Alejandra's home and witnessed Jermaine Jermaine and Alejandra sign the license and certificate of marriage, which 10 stated that they were married March 13, 1995. It was apparent 11 that Jermaine and Alejandra intended to be married and be held as husband and wife. It was all of our understanding that by them resigning this document in the presence of two witnesses 14 | it would validate their March 13, 1995 marriage.
 - 8. A true and correct copy of the document that I signed as a witness to Jermaine's and Alejandra's signatures is attached herewith and incorporated herein by reference as Exhibit 3.

I declare, under penalty of perjury, under the laws of the 20 21 State of California, that the foregoing is true and correct.

Executed October 09, 2007 at Los Angeles, California.

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DECLARATION OF MYRIAH RODRIGUEZ

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LICENSE AND CERTIFICATE OF CONFIDENTIAL MARRIAGE

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and the Defendant not having appeared for trial in said action either in person or by attorney, and the defendant having waived his right to making, filing and service of Findings of Fact and Conclusions of Law, and all other notices required by law havi. been waived.

THEREFORE. IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the bonds of matrimony now and heretofore existing between the Plaintiff and Defendant are hereby wholly dissolved, and an absolute Decree of Annulment is hereby granted to the Plaintiff, 10 and each of the parties hereto is hereby restored to the status of a single unmarried person, and the said marriage is hereby completely annulled.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Flaintiff be restored to her former name of LOAIZA.

DATED AND DONE this 20 day of 2 ptember.

DISTRICT JUDGE

Submitted by:

GARY L. REDMON, ESQUIRE 279# South Maryland Parkway #5 Las Vegas, lievada 89109

Attorney for the Plaintiff

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TROPE and TROPE
ATTORNEYS AT LAW
12121 WILSHIRE BLVD.
LOS ANGELES, CA
9002G-1171
310-207-8228
323-879-2728

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 12121 Wilshire Boulevard, Suite 801, Los Angeles, California 90025.

On October 9, 2007, I served the foregoing documents described as RESPONSIVE DECLARATION TO PETITIONER'S MOTION FOR RELIEF TO AMEND THE PETITION TO A NULLITY on the interested party in this action:

[X] BY PLACING

[] the original [X] a true copy thereof enclosed in sealed envelopes addressed as follows:

Debra A. Opri, Esq.
OPRI & ASSOCIATES
8383 Wilshire Boulevard
Suite 830
Beverly Hills, CA 90211-2407

[X] VIA PERSONAL SERVICE

I personally delivered such envelope to the offices of the addressee during regular business hours on said date.

I declare, under penalty of perjury, under the laws of the State of California, that the above is true and correct.

Executed October 9, 2007, at Los Angeles, California.

Lauren Camqual

PROOF OF SERVICE

SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT

JERMAINE JACKSON,

Petitioner,

VS.

Case No. BD416964

ALEJANDRA JACKSON,

Respondent.

DEPOSITION OF ALEJANDRA JACKSON

Los Angeles, California

Monday, October 1, 2007

Reported by:
ANNE BEVERIDGE
CSR No. 10077

Job No. 73446

SARNOFF

The state of the s

1	Q All right. And what other businesses has your
2	brother been in?
3	A He owns a clothing store in Colombia.
4	Q Now, the clothing that is made in Colombia
5	and we're talking about this period of time when you
6	A He owns a clothing store in Colombia. Q Now, the clothing that is made in Colombia and we're talking about this period of time when you opened in 2002. The clothing that was made for in Colombia, was that the clothing just made for Shelter
7	Colombia, was that the clothing just made for Shelter
8	International
9	A Yes.
10	Q here in California?
11	A Yes.
12	Q Was any of the clothing that was ever made in
13	Colombia, which Shelter International paid for, ever used
14	for your brother's clothing store in Colombia?
15	A Not to my knowledge.
16	Q All right. So for all intents and purposes of
17	this line of questioning, I am going to ask you if your
18	company today still is open.
19	A It's open, but I haven't done anything to keep
20 21 22	it going.
21	Q Why?
i i	A With all this going on right now, it's
23	overwhelming.
24	Q Is your brother and mother still working for
25	Shelter International?

1	· A Not at this point, because
2	Q We have reviewed some documents, and is it
3	correct that you have wired money to your mother or
4	brother in Colombia?
5	A Yeah.
6	, Q And what were those wire transfers for?
7	A For when I done small trunk sales
8	THE REPORTER: I'm sorry? Small
9	THE WITNESS: Trunk sales, t-r-u-c-k.
10	MR. LEPAK: T-r-u-n-k.
11	THE WITNESS: Oh, I'm sorry trying to get
12	rid of some of the stuff.
13	BY MS. OPRI:
14	Q The monies that you wired to your brother and
15	mother, were they the profits you made from Shelter
16	International?
17	A You mean in general?
18	Q Yes.
19	. A Yes. For whatever whatever I sell, I have to
20	keep sending to pay all the people that is making the
21	clothes.
22	Q Were the profits split three ways?
23	MR. LEPAK: Objection
24	THE WITNESS: No, no. There is no profits.
25	MR. LEPAK: vague okay. Never mind.

1	A I don't recall the cract year.
2	Q Is there ever a point
3	A I don't.
4	Q Okay. Is there ever a point in time where you
5	asked Randy to marry you so you can get your citizenship?
6	A No.
7,	Q Is there ever a point in time where you asked
8	anyone else to marry you so you can get your citizenship?
9	A No.
10	Q Who is Nicholas Ray?
11	A He is an old friend of Randy.
12	Q Did you meet Nicholas through Randy?
13	A Yes. When I was 17.
14	Q Did you ever marry Nicholas Ray?
15	A Yes.
16	Q Did Randy ever tell you that Nicholas Ray would
17	marry you for your citizenship?
18	A No.
19	Q What year did you marry Nicholas Ray?
20	A 1993.
21	Q Were you still married to Nicholas Ray when you
22	married Jermaine?
23	· A Yes.
24	MR LEPAK: Wait, wait. Can I have that
25	question back again, please.

1	(Record read.)
2	BY MS. OPRI:
3	Q Did you ever divorce Nicholas Ray?
4	A I annul.
5	Q Why did you annul versus divorce?
б	A Because it was never a marriage.
7	Q Is it your testimony today that you never had
8	sex with Nicholas Ray?
9	A Yes.
10	Q What date did you marry Nicholas Ray?
11	A I don't recall.
12	Q What date did you marry Jermaine Jackson?
13	A The 18th.
14	Q Of what?
15	A Of March.
16	Q '95?
17	A Yes.
18	Q What did you marry Nicholas Ray in '92?
19	A No.
20	Q '93?
21	A I think '93.
22	Q Did you ever have a conversation with Jermaine
23	Jackson that the only reason you married Nicholas Ray wa:
24	for citizenship?
25	MR. LEPAK: Objection. Argumentative.

1	THE WITNESS: Do I answer?
2	BY MS. OPRI:
3	Q Yes.
4	A Yes.
5	Q And what did you tell him?
6	A I told him that I had yeah, I told him a
7	one time I told him that I had married due to that I wa
8	scared, and I didn't tell him who I was married to w
9	did I marry to, but I had annulled it, in not in man
10	of Jermaine and I's conversations. Then should I
11	stop?
12	Q No. Go ahead.
13	A That was around '95 or before we got married.
14	And then in 1997, the conversation came up again becaus
15	of Randy. I had talked to Jermaine again about it, and
16	then I told him with who it was.
17	Q Did Randy over tell you, after you married
18	Jermaine in 1995, that if you didn't tell Jermaine that
19	you were married to Nicholas, he would?
20	A Yeah. That is when we had our second
21	conversation.
22	Q I am talking about Randy.
23	A Yes. That is when I told Jermaine that is
24	when I brought again this conversation of my marriage
25	before, to Jermaine.

1	Q	Who supported you?
2	A	The family.
3	· Q	When you say the family, do you mean Catherine?
4	A	Mrs. Jackson.
5	Q	So Mrs. Jackson has always supported you?
6 ,	A	In many times.
7	Q	How many children, natural children do you have
8	now?	
9	A	Four.
10	Q	And is it correct that two children are by Randy
11	and two	children are by Jermaine?
12	. A	Yes.
13	Q	Okay. What are the two children the two
14	children'	's names you had with Jermaine?
1		
15	A	Jaafar, J-a-a-f-a-r, and Jermajesty,
15 16	A	
	J~e-r-m~a	Jaafar, J-a-a-f-a-r, and Jermajesty,
16	J~e-r-m~a	Jaafar, J-a-a-f-a-r, and Jermajesty,
16 17	A J~e-r-m~a Q	Jaafar, J-a-a-f-a-r, and Jermajesty, a-j-e-s-t-y. And when were they born?
16 17 18	J-e-r-m-a Q A Q	Jaafar, J-a-a-f-a-r, and Jermajesty, a-j-e-s-t-y. And when were they born? Jaafar was born 7/26/96.
16 17 18	J-e-r-m-a Q A Q A	Jaafar, J-a-a-f-a-r, and Jermajesty, a-j-e-s-t-y. And when were they born? Jaafar was born 7/26/96. Okay.
16 17 18 19 20	J-e-r-m-a Q A Q A	Jaafar, J-a-a-f-a-r, and Jermajesty, a-j-e-s-t-y. And when were they born? Jaafar was born 7/26/96. Okay. And Jermajesty, October 7, 2000.
16 17 18 19 20 21	A J~e-r-m~a Q A Q A Q	Jaafar, J-a-a-f-a-r, and Jermajesty, a-j-e-s-t-y. And when were they born? Jaafar was born 7/26/96. Okay. And Jermajesty, October 7, 2000.
16 17 18 19 20 21 22	J-e-r-m-a Q A Q A Q today?	Jaafar, J-a-a-f-a-r, and Jermajesty, a-j-e-s-t-y. And when were they born? Jaafar was born 7/26/96. Okay. And Jermajesty, October 7, 2000. And do they reside at the Hayvenhurst property
16 17 18 19 20 21 22 23	J-e-r-m-a Q A Q A Q today? A	Jaafar, J-a-a-f-a-r, and Jermajesty, a-j-e-s-t-y. And when were they born? Jaafar was born 7/26/96. Okay. And Jermajesty, October 7, 2000. And do they reside at the Hayvenhurst property Yes.

1	Q And what did he do to participate?
2	A Went to a notary.
3	Q Here in the State of California?
4	A Yes.
5	Q The annulment was filed in Vegas, correct?
6	. A Yes.
7	Q Did you go to Vegas to get it annulled?
8	A Yes.
9	Q Do you hire an attorney in Vegas to get it
10	annulled?
11	A Yes.
12	Q Did you know that Nicholas had a pregnant
13	girlfriend named Norata at the time you married him?
14	A No.
15	Q Did you ever pay Nicholas money to marry him?
16	A No, not that I I don't remember.
17	Q If Nicholas were to testify that you paid him
18	money for your citizenship to marry him, would he be
19	lying?
20	A I don't know at that time.
21	Q You don't know whether he would be lying or not?
22	A We had many discussions about what Randy was
23	telling me, that he was going to take my kids and make
24	sure that I would go back to Colombia, so we have many
25	discussions at that time regarding Randy's threats to me.

1	Q Is it correct that you married Nicholas to kee
2	your children here in the States?
3	A Not to keep my children. I wouldn't call that
	but at that moment I was afraid that Randy would come
5	through with what he was threatening me with, keeping my
6	kids.
7	Q So Nicholas helped you to keep your kids in the
8	States?
9	A I don't think that is the right question. Can
10	you rephrase the question.
11	Q You indicated that you had many conversations
12	with Nicholas because you had threats from Randy that he
13	was going to send you and the kids back to Colombia,
14	correct?
15	A That he was going to keep my kids and send me
16	back to Colombia.
17	Q And the only way you could stay in the States
18	was to become a citizen, correct?
19	MR. LEPAK: Objection. Argumentative.
20	THE WITNESS: Well, I thought that that would
21	
	BY MS. OPRI:
23	Q All right. And then shortly thereafter you and
24	Nicholas married, correct?
2.5	A At some time, at some point.

1	supported financially by Catherine?
2	A Right now, yes.
3	Q Has it been the majority of time Catherine
4	supporting the five children throughout the years?
5	MR. LEPAK: Objection. Vague and ambiguous as
6	to time. Vague and ambiguous as to the term "support."
7	THE WITNESS: The majority of time? On and off,
8	yes.
9	BY MS. OPRI:
10	Q And would it be a fair statement that Catherine
11	provides the majority of the support for you and your
12	children?
13	MR. LEPAK: Objection. Vague and ambiguous as
14	to time.
14 15	to time. BY MS. OPRI:
15	BY MS. OPRI:
15 16	BY MS. OPRI: Q Today.
15 16 17	BY MS. OPRI: Q Today. A Not the majority, no.
15 16 17 18	BY MS. OPRI: Q Today. A Not the majority, no. Q Where else do you have support coming from for
15 16 17 18 19	BY MS. OPRI: Q Today. A Not the majority, no. Q Where else do you have support coming from for your children and for yourself today?
15 16 17 18 19 20	BY MS. OPRI: Q Today. A Not the majority, no. Q Where else do you have support coming from for your children and for yourself today? A You mean today at this moment?
15 16 17 18 19 20 21	BY MS. OPRI: Q Today. A Not the majority, no. Q Where else do you have support coming from for your children and for yourself today? A You mean today at this moment? Q Yes.
15 16 17 18 19 20 21 22	BY MS. OPRI: Q Today. A Not the majority, no. Q Where else do you have support coming from for your children and for yourself today? A You mean today at this moment? Q Yes. A Oh, I am working part time.
15 16 17 18 19 20 21 22 23 24	BY MS. OPRI: Q Today. A Not the majority, no. Q Where else do you have support coming from for your children and for yourself today? A You mean today at this moment? Q Yes. A Oh, I am working part time. Q Okay. Where are you working?

1	Q A day. Four hours times five days a week or
2	longer?
3	
4	I know I just started, so last week it was kind of
5	İ couldn't work.
6	Q What are your job duties or title?
7	A I do a little bit of everything. I call her
8	customers, her clients. She is teaching me how she runs
9	her company through QuickBooks.
10	Q Is she training you on QuickBooks?
11	A Yes, she is training me on QuickBooks, but if I
12	knew that, I would have run my company like that.
13	Q You are on the computer as well?
14	A Yes. I am e-mailing people, I am sending she
15	does trade shows. She wants me to go with her, but at
16	this point I can't travel.
17	Q Ultimately, if you had childcare, would you say
18	that you could work with her full time as one of her key
	personnel?
20	A She would like me to do that, yes. Q All right. And what do you earn right now an
197	
22	hour or monthly?
23	· A Right now \$15 an hour.
24	A Right now \$15 an hour. Q 15 an hour, without any taxes at this point in
25	time, correct?

* T.

1	A At this point, yes, but she is getting
2	because she is getting she is she is, next week,
3	having me fill out the paperwork for taxes and stuff.
4	Q All right. And how long have you been working
5	for her?
6	A Three weeks. I started 8 okay. Month eight
7 :	is what? August? September? Is eight September?
8	MR. LEPAK: August.
9	BY MS. OPRI:
10	Q August 30th?
11	A Like in the middle of August.
12	Q August 15th?
13	A Around then. It's in the checks that I gave
14	you.
15	Q Okay. And how did you find this job?
16	A I know her for she gave me my first job. One
17	of my first jobs when I was 17.
18	Q Is there a reason why you're working for someone
19	now versus keeping your own business going?
20	A No, I I am going to try to keep my company
21	going. It's just right now I need income.
22	Q All right. Have you
23	A My company doesn't give me any income.
24	Q Do you have any bank accounts or savings in
25	Colombia?
1	

```
1
               The Shelter International, did you post income
 2
      for that company in 2006?
               MR. LEPAK: Objection. Vague and ambiguous as
 4
      to the term "income."
 5
               THE WITNESS: Can you repeat the question.
 6
      BY MS. OPRI:
 7
               Do you have any earnings --
 8
               In 2006?
               -- for Shelter International?
 9
               MR. LEPAK: Objection. Vague and ambiguous as
11
      to the term "earnings."
12
      BY MS. OPRI:
13
               Gross? Gross income?
           Q
14
           A
               No.
15
               2007, anything?
16
               No.
           A
17
               MR. LEPAK: Same objection.
18
               THE WITNESS: Huh-uh.
19
     BY MS. OPRI:
20
               Is that no?
           Q
21
           A
               No. Sorry.
22
               2005?
                          Same objection.
23
               MR. LEPAK:
24
               THE WITNESS:
                             No.
25
     BY MS. OPRI:
```

1	Q 2004?
2	MR. LEPAK: Same objection.
3	THE WITNESS: No.
4	BY MS. OPRI:
5	Q No income whatsoever?
6	MR. LEPAK: Objection. Vague and ambiguous as
7	to the term "income."
8	BY MS: OPRI:
9	Q When I say income, for purposes of this
10	question, I have clarified it to be gross income. That
11	means before any bills are paid, paying for fabrics,
12	paying for shipping.
13	A Right. No, it's always been cut to the to a
	loss or I mean, you say 200 here, you get \$200 extra.
	But we lost a lot because we became partners with another
16	line called A. Jackson.
17	Q You are talking about Shelter International?
18	A Outside from Shelter International.
19	Q When you say we became partners, who is "we"?
20	A My partners, Marina ~~
21	Q Your mom and brother?
22	A and Franklin. My mom and brother.
23	Q Okay. So while you had Shelter International
24	you also started another business?
25	A Yes.

1	A Yes, from the company.
2	Q And how much money would you say, on average,
3	you send to your mother?
4	A Whatever we have sold. Whatever the company has
5	come, I have sent.
6	Q Give me an estimate, from range to range?
7	. A I really don't
8	Q From littlest to most?
9	A I don't know. I mean
10	Q You don't send her a million dollars, right?
11	A No, I don't. I mean, I have sent
12	Q Give me a general.
13	A We have sent, for materials, \$3000; we have sent
14	\$200.
15	Q Okay. Now, does your mother rely upon you for
16	money on a regular basis?
17	MR. LEPAK: Objection. Vague and ambiguous.
18	THE WITNESS: Before, yes. Not now.
19	BY MS. OPRI:
20	Q Okay. Before was that \$200 to \$3000 range,
21	correct?
22	BY MS. OPRI: Q Okay. Before was that \$200 to \$3000 range, correct? A Well, to keep the business going over there, yeah. Q Okay. And how much money does Catherine Jackson
23	yeah.
24	Q Okay. And how much money does Catherine Jackson
25	Q Okay. And how much money does Catherine Jackson provide to you today on a monthly basis?

1	was sent and to pay here bills and to pay, you know,
2	catalog, Web site, pictures.
3	Q So there was income to the company?
4	MR. LEPAK: As far as gross income
5	THE WITNESS: Gross.
6 ;	MR. LEPAK: but the expenses exceeded the
7	gross income resulting in debt.
8	MS. OPRI: We don't need your testimony.
9	THE WITNESS: I don't know how to use
10	BY MS. OPRI:
11	Q Did you draw did you draw any monies from the
12	company to pay gas, telephone?
13	A Yes, yes.
14	Q Okay. Did you draw any money for taking the
15	kids out for dinner or for groceries?
16	A From where?
17	Q From the company monies?
18	A I draw for groceries.
19	Q Okay. So you
20	
21	sales.
22	Q All right. So you were able to there was
23	enough money for you to pay for
24	A Expenses that the company needed, yes.
25	Q All right. Did you ever tell Jermaine that you
fi	

A CONTRACT OF THE PARTY OF THE

1	THE WITNESS: Sorry.
2	BY MS. OPRI:
3	Q Okay. So you told him you had married someone
4	but you never consummated the marriage?
5	A Right.
6	Q You told him you had married someone but you
7 ;	never slept with them?
8	A Yes.
9	Q Basically?
10	A Basically, yeah. And it wasn't a big deal in
11	our conversations.
12	Q Was it Jermaine's understanding that the
13	marriage you had prior was not a valid marriage because
14	you had never consummated it?
15	A I don't know what was his understanding.
16	Q How did you well, hold on. Did you ever have
17	any joint accounts with Jermaine?
18	A No.
19	Q As you sit here today, we have seen documents
20	where you have accounts with Bank of America?
21	A Yes.
22	A Yes. Q Do you have any accounts with any other banks or
23	credit unions?
24	A Before Bank of America, I had with Coamerica.
25	Q Coamerica?

#	A Yes.
2	Q Do you have any accounts with any other banks?
3	Bank America is it?
4	A Oh, with Certis Sarfati Cedric Sarfati, he
5	has a bank account he had a bank account. I think it
б	was Wells Fargo in New York.
7	Q All right. In the last year
8	. A No. I already know what you were going to say.
9	Q tell me the -~ the banks you have either
10	checking, savings, core accounts, business accounts?
11	A Just Bank of America.
12	Q How many accounts do you have with Bank of
L3	America?
Ĺ 4	A Okay. My personal that I have a savings account
15	and a checking account.
6	2 Now, when I say you, I mean you
.7	A Just me.
.8	Q you or any business that you may own or run?
.9	A And then
0	Q Only Bank of American?
1	Q Only Bank of American? A And then I have Shelter International with Bank of America. That has the business.
2	of America. That has the business.
3	Q So there is no other banks that you bank in any
4	Q So there is no other banks that you bank in any way with? A No.
5	A No.
100	

1	So the monies that he has loaned you, you have now state
2	that there is credit card bills or something that you
3	still owe or you are still getting additional money for?
4	A Okay. Let me clear this. The part of the
5	\$25,000 is the \$7,000 that he has paid towards the car,
6	and that is towards the loan that he has with Jermaine.
7	Q The company car?
8	A The company car.
9	Q Okay. So Jermaine doesn't pay this, Paul
10	Incerto does?
11	A Jermaine pays it he's supposed to pay that,
12	but due that his name Paul Incerto is included, he
13	doesn't want his credit to be damaged.
14	Q Is this the Escalade we're talking about?
15	A Yes.
16	Q Okay. So the \$995 a month lease is for Earth
17	Vision company car of which Paul Incerto's name is also
18	on the lease?
19	A Yes.
20	Q So the lease will say Earth Vision and Paul
21	Incerto?
22	A Yes.
23	Q Okay. Now, how much money did you earn during
24	your entire marriage to Jermaine, average basis?
25	A I don't know.

1	Q Over 100,000?
2	A What do you mean?
3	Q How much a year were you making in income while
4	you were married to Jermaine?
5	A Making?
6	Q Yes.
7	MR. LEPAK: Objection. Vague and ambiguous.
8	THE WITNESS: I don't understand the question.
9	BY MS. OPRI:
10	Q Well, gross. Was your company
11	A No, I wasn't making with my company. I depend
12	on what Jermaine was giving me.
13	Q Okay. And Jermaine would give you money when he
14	had it, correct?
15	A Yeah.
16	Q And were there ever any joint bills that were
17	incurred by both you and Jermaine as husband and wife?
18	A Our insurance.
19	Q All right. I am going to give you a check list.
20	Did you ever own a home together?
21	A No.
22	Q A time-share together?
23	· A No.
24	Q A car together?
25	A No. Well no.

1	Q A car with both your names?
2	A No.
3	Q Did he ever give you jewelry or furs?
4	A He gave me jewelry, so like a watch.
5	Q All right. But nothing in the hundreds of
6	thousands of dollars?
7	A No.
8	Q When you traveled together, did he pay it or did
9	some other entity, third-party, pay it?
10	A He pay and some other people pay.
11	Q Okay. Were these travel bills jointly incurred
12	by both you and Jermaine?
13	A What do you mean?
1.4	Q For example, did you travel for business or
15	personal?
16	A Both.
17	Q Okay. When you traveled for personal, were the
L8	bills paid by you and Jermaine, by you, by Jermaine, or
L9	by a third party?
20	A By Jermaine.
	Q Okay. As you sit here today, any trips that you
22	took together, which you believe were personal, you
1	believe would have been paid by Jermaine?
24	A Meaning, any trip we took, he always it was
25	for business/pleasure. Business and pleasure.
ļ	

1 2	Q Business and pleasure?
2	A Sometimes it would be all paid, but a lot of
3	times we would sometimes he would pay.
4	Q How did Jermaine find out about and let's lay
5	a foundation. Before Jermaine, you only had one
6	marriage, correct?
7 _i	A Yes.
8	Q Okay. How did Jermaine find out that you had a
9	prior marriage?
10	A Because I told him.
11	Q When did he find out about your prior marriage?
12	A Before we got married and in around 2 around
13	97.
14	Q And it's your testimony that Jermaine still
15	married you knowing you were still married to someone
16	else?
17	A Well
18	Q Yes or no?
19	A Excuse me?
20	Q Yes or no?
21	A I don't know.
22	Q Who else knew about your prior marriage?
23	A Randy.
24	Q Anyone else?
25	MR. LEPAK: I guess Nicholas Ray did.

	14
1	A Yes.
2	Q And were you sharing the same room?
3	A At that time? No, he just I just told him t
4	go to my kids' room a week before.
5	Q At some point in time you and Jermaine stopped
6 è	sharing
7	A The same room.
8	Q the same room, correct?
9	A Yes.
10	Q When was that, if you know?
11	A Around sometime in 2004.
12	Q Did you tell him you wanted a divorce?
13	A In one of our arguments we both did.
14	Q At some point in time when he left, when he and
15	you started having different bedrooms at the Hayvenhurst
16	property, was his room at the other end of the hall?
17	A Down the hall, yes.
18	Q Did you change the locks on your bedroom door?
19	A No.
20	Q Did you put a lock on your bedroom door?
21	A No.
22	Q Has the lock on your bedroom door always been
23	the same lock?
24	A Yes.
25	Q Is it a lock or a key lock?
H	

1	Q In person, on the phone?
2	A On the phone. We put a time. He was supposed
3	to give me a phone number in case of emergency. My kid
	was sick. I got a little scared because he was whistling
5	like he had asthma. Our kids don't have insurance.
6	Q Was your child with you at the time you noticed
7	that?
8	A Yes.
9	Q All right. What did you do?
10	A I tried to call him many times. I couldn't
11	reach him. I couldn't leave a message, I couldn't
12	contact him. And that is anytime. I told him to,
13	please, because I rely on him. If an emergency or
	something is going to come, he said to the mediation he
15	wants in case I have to go somewhere, he wants to be
	the first one to be noticed. I could never reach him or
17	leave a message.
18	Q But is it fair to say at this point in time you
19	share the kids 50-50?
20	A Right now? I think we are. I don't know.
21	Q And the children's primary home right now, would
22	you say that's Hayvenhurst?
23	A Yes.
24	Q And do the kids like Hayvenhurst?
25	A Yes.

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1	Q It's their home?
2	A That is where they were born.
3	Q Have the children complained at all about the
4	home with Jermaine? Is that the home in Calabasas?
5	A They haven't complained. I don't ask any
6	questions about it.
7	Q Have the children told you they have a good time
8	when they are there?
9	A They love being with daddy, yeah.
10	Q All right. And they have their own room?
11	A Yeah. From what Jermaine told me, yes.
12	Q All right. Do the children have any special
13	needs, special tutoring?
14	A Yes.
15	Q What is the situation?
16	A There was a meeting set last week to meet with
17	Jermajesty's teacher.
18	Q Jer Jer
	A Jermajesty. I know.
20	Q Go ahead.
21	A Jermaine and I agreed that Wednesday is an early
22	day, that we would both go and meet her. Jermaine never
23	showed up. I met with the teacher. We e-mailed back and
	forth. I explained that, yes, I be knowing that he
25	needs he is really behind.

1	(Instruction not to answer.)
2	MS. OPRI: This is all offer of proof,
3	Counsel. This is the crux of what she filled out with
4	the schedule of assets and debts, which she signed under
5	penalty of perjury.
6 ,	MR. LEPAK: The document speaks for itself,
7	Counsel.
8	MS. OPRI: I am entitled to explore.
9	Q You filled out a schedule of assets and debts?
10	A Yes.
11	MR. LEPAK: Do you have the documents for us,
12	please?
13	THE WITNESS: Is that the thing that you
14	MS. OPRI: I don't need it.
15	Q Yes.
16	A go
17	Q Right. Real estate, boats, stocks.
18	A Not that I know that I'm aware of.
19	MR. LEPAK: The question is did you fill out
20	a form, I believe, is the question.
21	a form, I believe, is the question. THE WITNESS: Did I oh, I filled up a form.
22	BY MS. OPRI:
23	Q Let me ask you this way. Do you own any boats
24	with him?
25	A Not to my knowledge.
1	

1	Q Any houses?
2	A Not to my knowledge.
3	Q Any airplanes?
4	A Not to my knowledge.
5	Q Any cars that you own, not lease?
б	MR. LEPAK: Objection. Calls for a legal
7	conclusion.
8	THE WITNESS: Not to my knowledge.
9	BY MS. OPRI:
10	Q Are you maintaining what is the total value
11	of jewelry that you have received during your marriage
12	from Jermaine, or purchased on your own?
13	A That is valuable? He only gave me a Lockman
14	watch.
15	Q Let me ask it this way. During your marriage
16	did you purchase jewelry?
17	A No.
18	· Q During your marriage, did you incur any debts?
19	A Yes.
	Q What debts did you incur? Do you know what a
21	marital debt is?
22	MR. LEPAK: Objection. Calls for a legal
23	conclusion.
24	THE WITNESS: Tell me, please. Explain to me.
25	BY MS. OPRI:

1	A Yeah.
2	Q Okay. And ultimately what happened to that
3	\$50,000, other than you wiring some to your mom and the
4	manufacturing company in Colombia?
5	A No, it wasn't for anything with our clothes.
6	Q It was personal?
7	A It was for personal that trip, towards that trip
8	to go to Colombia, to spend some bills, that I gave you
9	copies of.
10	Q Are there any other personal transfers that you
11	sent over to your mother and the manufacturing company
12	for personal use?
13	A It could be.
14	Q Why don't you go through them and identify
15	A I wouldn't really know.
16	Q what transfers you made for personal use,
17	other than what you have already told us?
18	A Let me see. Now that you yeah, I've got to
19	check the number. Let me see. This one.
20	Q 9/1/06?
21	. A Yeah.
22	Q Let me find it.
23	A Yeah.
24	Q Okay. Is there anything else that you have
25	identified in there?
Y .	

1	compa	any.	
2		Q	The company is new?
3		A	The company is new? Her company. I mean, it's only like two years
4	old,	but	she's got reps, trade shows, and she cannot pay I need to take care of all my bills.
5	me wi	nat	I need to take care of all my bills.
6 ,			Have you filed job applications for any other
7	fashi	lon !	houses, for lack of a better phrase?
- 8		A	No.
9		Q	How many years' experience have you had in this
10	type	of 1	work?
11		A	In which department?
12		Q	In any department. I mean, it's fair to say
13	that	you	have run a business, Shelter International?
14		A	Yes.
15		Q	And you are now working for a clothing house,
16	corre	ct?	
17		A	Uh-huh.
18		Q	So, in totum and your mother and brother are
19	in th	e cl	othing industry, so it's fair to say that you
11			a life of experience with the clothing industry,
11	have		
			And you are very familiar with buying and
24	selli	ng,	manufacturing?
25			MR. LEPAK: Objection. Vague and ambiguous as

1	Crystal City, record label, two CDs.
2	Q Do you know if that was a job and whether
3	Jermaine ever received income?
4	A He received \$150,000.
5	Q How do you know?
6	A Because Jermaine would talk to me.
7	Q Because Jermaine gave you part of it?
8	A He gave me part of it, but he would -~
9	Q Yes?
10	A Yes.
11	Q So other than the 150
12	MR. LEPAK: Counsel, I think she didn't finish
13	answering her question.
14	BY MS. OPRI:
15	Q Are you done with your question?
16	A I said because I had talked to the prince myself
17	too.
18	Q Okay. Other than the \$150,000, where you got a
19	part of that, were there any other jobs, income ~-
20	A Oh, the royalties.
21	Q No. We are not counting royalties jobs
22	that Jermaine had where you got a portion of what he
23	received?
24	A Not to my knowledge.
25	Q Do you think Jermaine Jackson is employable
- 1	

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1	. A Yes,
2	& Mycre;
3	A In New York.
4	Q Where?
5	A September 10th when was 9/11? What year was
6	that?
7	MR. LEPAK: 2001.
8	BY MS. OPRI:
9	Q 2001?
10	A Yes.
11	Q And where did he perform in New York, Alejandra?
12	A I don't know the name. With all of the
13	brothers. ·
14	Q With one of his brothers?
15	A With Michael and all the brothers.
16	Q Right. That was the Jackson Five reunion?
17	A Something.
18	Q I am talking about performing alone.
19	· A Oh, alone?
20	Q In the last five years
21	A He has done on TV, but I don't know if he got
22	compensated, no.
23	Q All right. So to your knowledge Jermaine has
24	never had a job singing in the last five years for just
25	Jermaine, fair? Correct, to your knowledge?

1	A To my knowledge.
2	Q Okay. To your knowledge, when was the last time
3	he wrote and sold a song?
4	A I don't know.
5	Q Not during your marriage?
6	A No. He wrote songs, but he hasn't sold it.
7	Q I write songs, and I can't sell them either.
8	A But he could, though.
9	Q Okay. You say he looks great?
10	A Yes.
11	Q Got a lot of fans?
12	A Yes.
13	Q Has he ever modeled in the last five years for
14	income?
1	A Not to my knowledge.
•	Q Other than the "Big Brother" reality show, for
17	lack of a better phrase, has he done any other television
18	show where he was hired and for which he was paid for his
19	appearance?
20	A I have seen him in many TV shows. To my
21	knowledge, I don't know if they pay him or not.
22	Q Okay. Not television interviews. Actual
23	performance on a television show or a movie?
24	A He performed at "The View" in the last five
25	years.
1)	

l	Q He performed at "The View," the TV show?
2	A Yes.
3	Q ABC?
4	A I think so.
5	Q To your knowledge, was he paid for that?
6	A No.
7 ′	Q I can tell you that's probably correct, he
8	wasn't.
9	All right. Give me a moment. One minute, and I
10	will be back and we are almost done.
11	(Recess.)
12	MS. OPRI: On the record.
13	Q What is your social security number?
14 '	A Oh, I don't know it. Isn't it there? It's on
15	my tax return.
15 16	my tax return. Q The ones that you just produced?
16	Q The ones that you just produced?
16 17 18	Q The ones that you just produced? A Yes. No, the ones before. 624
16 17 18 19 20	Q The ones that you just produced? A Yes. No, the ones before. 624 Q 624. A 16-5141. Q Actually, just one more question. Is it your
16 17 18 19 20 21	Q The ones that you just produced? A Yes. No, the ones before. 624 Q 624. A 16-5141. Q Actually, just one more question. Is it your intent that you and Jermaine maintain an even 50-50
16 17 18 19 20 21 22	Q The ones that you just produced? A Yes. No, the ones before. 624 Q 624. A 16-5141. Q Actually, just one more question. Is it your intent that you and Jermaine maintain an even 50-50 custody of your children?
16 17 18 19 20 21 22 23	Q The ones that you just produced? A Yes. No, the ones before. 624 Q 624. A 16-5141. Q Actually, just one more question. Is it your intent that you and Jermaine maintain an even 50-50 custody of your children? A I don't know.
16 17 18 19 20 21 22	Q The ones that you just produced? A Yes. No, the ones before. 624 Q 624. A 16-5141. Q Actually, just one more question. Is it your intent that you and Jermaine maintain an even 50-50 custody of your children? A I don't know.
16 17 18 19 20 21 22 23 24	Q The ones that you just produced? A Yes. No, the ones before. 624 Q 624. A 16-5141. Q Actually, just one more question. Is it your intent that you and Jermaine maintain an even 50-50 custody of your children? A I don't know.

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DECLARATION OF JERMAINE L. JACKSON

I, JERMAINE L. JACKSON, declare as follows:

- I am the Petitioner in the within action, which is for dissolution of marriage filed in November, 2004. I have personal knowledge of the matters contained in this declaration and, it called as a witness to testify, I could and would competently testify to them.
- This declaration is provided in further opposition to the Respondent's Order to Show Cause in which she requests, among other things, orders with respect to child custody, visitation, child support, and spousal support.

I request sole physical and legal custody.

- As I stated in my prior declarations to this court, the Respondent's custody claims which remain part of the instant Order to Show Cause are outlandish. Respondent's recent claims for sole legal and physical custody are, sadly, nothing more 14 than a litigation tactic. The reality is that Respondent by her own admissions at her deposition on October 1, 2007, at which I was personally present, show that I have been and continue to be a good and caring father to my two children. I have been attentive to them since our separation over three years ago, and have continued to have a healthy and loving relationship with them.
 - In opposition to Respondent's continued custody requests as set forth in her 4. pending Order to Show Cause, I submit that if anyone were to be awarded sole legal and physical custody, it should be me. Specifically, as the court is aware, it has been Respondent, not myself, that has acted out violently in front of our children. The court has previously reviewed information portaining to one such event that took place at my mother's home in June, 2007.
 - Respondent herself admitted during her deposition that the only reason she 5. is not currently employed on a full time basis is because she has, "nobody to pick up the children after school." Respondent also indicated that her employer wanted her to work full time, and that the only reason she (Respondent) did not do so was because she did

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not have child care. I am certainly capable of and willing to provide greater parenting time to our children, so as to allow Respondent to go to work full time. And, as Respondent herself stated in her deposition my children, "...love being with daddy, yeah".

Contrary to the documents filed with the court by her attorneys, the 6. Respondent also admitted in her deposition that we have been in agreement with and operating under an approximate 50/50 time share with our children. At a minimum, other than as set forth in this declaration herein, there is absolutely no reason for this 50/50 time share that we have been operating under for a significant period of time to be altered or modified. Respondent's claims for sole legal and physical custody are made completely 10 without any justification or rational basis, and ignore the reality of our parenting plan currently in effect.

Any child support order needs to adhere to the reality of our situation.

I do not object to an appropriate level of child support. However, the reality is that Respondent has knowingly misled this court into believing that I have income which do not. I currently do not have any employment. While it is true that I have had various projects "pitched" to me, the reality is that most of these "pitches" are never anything of substance. Listening to "Pitches" certainly does not pay me an income. In other cases, some of these "pitches" are projects that required me to put up large sums of money to get them going, which I simply do not have. There are no "deals" or projects in place at this time from which I can reasonably expect an income. That Respondent would have me "sing at weddings", as she claimed in her deposition, in order to earn money is simply naive. At a minimum, such actions by me would only result in forever removing my name from any other legitimate prospects I could potentially be considered for in the future. Thus, I find myself in a "Catch-22" situation where while I need money, I also need to be very cognizant of what employment I do undertake so as to not degrade my market value and ability to obtain legitimate work in the future. Unfortunately (and sadly), this troubling situation is very common in the entertainment industry. While I do have high hopes and

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expectations that this situation will change, it is the reason why I currently have no income at this time.

- 8. On the other hand, by her own admission Respondent has the ability to work on a full time basis and essentially be self-supporting. Respondent claims that her current job wants her full time. The only reason she has given for not doing so is that she does not have child care. I am fully capable of and willing to fill that role with my own children so that Respondent can assume full time work.
- 9. As a result, based upon all of the foregoing, I respectfully request that any child support and custody order take into consideration the following:
 - a. Respondent's stated ability and opportunity to work on a full time basis;
 - b. My lack of any income at the present time;
 - c. My willingness to take our two minor sons on a full-time basis;
 - d. Respondent's admission that we currently have a 50/50 custodial time share;
 - e. Respondent's admission that I am a good father and the children love spending time with me.

Respondent's spousal support claims are over the top.

- 10. I reiterate my request made in other documents filed with the court that my Petition for Dissolution be amended to a nullity proceeding, since it is clear, even by Respondent's own admissions, that she was knowingly married to another man at the time she purported to marry me. Thus, I do not believe any spousal support is warranted under the circumstances.
- 11. Notwithstanding the above, Respondent's claims for support are way over the top in terms of reasonableness. They do not reflect our marital standard of living and at no time did Respondent ever have the amount of money to live on each month that she requests in her Order to Show Cause. It is simply unconscionable.
- 12. As stated previously, I am not currently working on any projects which generate income from which I can pay support. Moreover, there is no factual basis to

support such a request by Respondent. Respondent by her own admission is self-supporting and has the ability to work full time.

13. I do not have any income from which to pay support. To the contrary, the Respondent at her deposition admitted that Respondent has been supported by my mother Katherine. Respondent admitted that I have not been able to support her financially throughout our marriage. Thus, I respectfully request that the court deny or withhold pending determination of the nullity proceeding, any issuance of spousal support to Respondent.

There are no undisclosed community assets.

- 14. I reiterate that there are no undisclosed community assets whatsoever. Moreover, the Respondent admitted to the fact that there is no marital community assets and she knows full well that I have not been working on any projects that are currently generating any income. Respondent's own deposition testimony speaks for itself. Respondent's claims in this regard are simply self-serving and without any factual basis. This case has been litigated by Respondent as if we had far-reaching assets which she knows is not true, and the only thing Respondent has done has been to cause me to incur greater debt with my family.
- 15. Respondent in her desire to paint a false picture to this court has attached various financial documents pertaining to my girlfriend and then tried to claim that somehow my girlfriend's assets belong to me. This is incorrect. As evidenced by Halima Rashid's own deposition testimony, my girlfriend has her own finances which have nothing to do with me. Or more appropriately, I have nothing to do with Ms. Rashid's finances. Moreover, as I stated several times, and as Respondent affirmed in her deposition, she and I separated when I filed this action in November 2004, and any matters after such time have nothing to do with Respondent, other than in consideration of my obligation to support my children.

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- I reiterate that my girlfriend's car is not my car, and is her property, not mine. 16. Respondent's contrived story that this vehicle was somehow a gift to me from a Middle Eastern prince is ridiculous. While I had understood that it was purchased by my girlfriend, this financial deal was hers alone and I was not clear on the details of it at the time I made my prior declaration. Regardless, I have nothing to do with the procurement of this vehicle and my only tie to it is that she (my girlfriend) lets me drive it.
- Respondent in her deposition the following facts and circumstances, which reiterate and affirm herein:
 - We never owned a home together; a.
 - We never owned a time share together;
 - We never owned a car together;
 - Other than a watch, I never gave her any jewelry; d.
 - Any trips we took we usually paid for by others; e.
 - we had no joint accounts;
 - We had no marital assets. g.
- Finally, while not part of the instant Order to Show Cause, I would like to point 18. out to the court that while Respondent in her documents filed with the court claimed a recent separation date, she admitted at the time of her deposition that we stopped sharing the same room together in my mother's home "around sometime in 2004". I bring this up only to further point out that Respondent has made various requests of this court based upon deliberately misleading and/or false statements intended by Respondent so as to manipulate this court into making orders favorable to her.

do not have the ability to pay Respondent's attorneys fees.

As stated previously, I do not have any current income. Respondent has been litigating this matter as if we had an extensive marital estate when in reality she knows full well that we have no marital estate. This case has been churned by Respondent when in fact it should have been resolved quickly by way of a stipulated

proceeding, since we literally had no assets to divide and we essentially have agreed with regard to our children. Respondent presumably is adopting such a tactic under the very false impression that if she pushes hard enough perhaps I could get my family to provide her with money. The reality is that all that Respondent has accomplished is that she has placed me in a position where I am further into debt with my family in litigating this matter.

I have had to borrow funds from my mother to pay a small portion of my own accruing attorneys fees, the majority of which remain unpaid. I do not have any resources whatsoever with which to pay any of Respondent's attorneys fees. I have no current uncome. It is Respondent who is currently working and has the ability to earn income on a full time basis. She should be responsible for her own attorneys fees.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this ____ day of October, 2007 at Los Angeles, California.

Jermaine L. Jackson, Declarant

proceeding, since we literally had no assets to divide and we essentially have agreed with regard to our children. Respondent presumably is adopting such a tactic under the very false impression that if she pushes hard enough perhaps I could get my family to provide her with money. The reality is that all that Respondent has accomplished is that she has placed me in a position where I am further into debt with my family in litigating this matter. I have had to borrow funds from my mother to pay a small portion of my own according attorneys fees, the majority of which remain unpaid. I do not have any resources whatsoever with which to pay any of Respondent's attorneys fees. I have no current income. It is Respondent who is currently working and has the ability to earn income on a full time basis. She should be responsible for her own attorneys fees.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this ____ day of October, 2007 at Los Angeles, California.

dermaine L. Jackson, Declarent