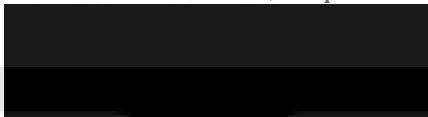


November 26, 2013

VIA E-MAIL AND U.S. MAIL

Dr. Conrad Murray
c/o Valerie G. Wass, Esq.



Re: Michael Jackson

Dear Dr. Murray:

I write on behalf of the Estate of Michael Jackson (the "Estate") to warn you to immediately cease and desist in discussing Michael Jackson with the press. Your recent comments to the media about Mr. Jackson's medical treatment and ultimate death shamefully violate the physician-patient privilege under California law. Despite your self-serving statements to the contrary, you clearly were *not* Michael Jackson's "friend." You were Mr. Jackson's medical doctor charged with his care. In this regard, *all* communications that you had with Mr. Jackson were in the course of that physician-patient relationship, and are therefore presumed confidential and absolutely privileged.

The physician-patient privilege remains in full effect despite Michael Jackson's death. Under California Evidence Code § 993(c), the Estate is the authorized holder of the privilege and is entitled to assert it. *See* Cal. Evid. Code § 993(c) (defining "holder" of the privilege as "[t]he personal representative of the patient if the patient is dead"); *see also Hale v. Sup. Ct.*, 28 Cal.App.4th 1421, 1423 (1994) (decedent's estate was holder of the privilege); *Rittenhouse v. Sup. Ct.*, 235 Cal.App.3d 1584, 1588 (1991) (same). ***To be clear, the Estate has not, nor will it ever, authorize you to discuss with anyone especially the media your treatment of Michael Jackson, including without limitation, any and all communications that you had with Mr. Jackson while he was under your medical care.***

There is *no question* that you have already breached the physician-patient privilege in connection with your recent press interviews. The physician-patient privilege is *broad* and includes all confidential communications "transmitted between a patient and his physician in the course of that relationship." Cal. Evid. Code § 992. Communication between a physician



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and patient are “*presumed to have been made in confidence* and the opponent of the claim of privilege has the burden of proof to establish that the communication was not confidential.” Cal. Evid. Code § 917 (emphasis added). In addition to communications, the physician-patient privilege includes all “information obtained by an examination of the patient” and all “diagnosis[es] made and the advice given by the physician in the course of th[e] relationship.” Cal. Evid. Code § 992; *see also Binder v. Sup. Ct.*, 196 Cal.App.3d 893, 897 (1987). California courts have a long history of liberally construing the physician-patient privilege in favor of nondisclosure. *See, e.g., Kramer v. Policy Holders’ Life Ins. Ass’n*, 5 Cal.App.2d 380 (1935).

It is beyond ironic and cowardly that after electing not to testify before the jury that convicted you, you are now trying to publically defend your conduct by sharing supposed conversations you had with Michael Jackson and alleged details about Mr. Jackson’s medical condition and treatment. Your interviews about Mr. Jackson’s personal life, health, and recent stories about the medical treatment you supposedly provided him as a “friend,” disclose precisely the type of information that the physician-patient privilege is designed to protect. If you continue to violate the oath you took when you were a physician and persist in revealing privileged information (much of which appears fabricated) about Michael Jackson, the Estate will take *all* necessary and permissible legal action, which will include a lawsuit seeking to enjoin you from disclosing confidential information about Mr. Jackson in any future memoir or book (which you are reportedly attempting to shop). Moreover, if the extraordinary reports are true that you are actually seeking to have your medical license reinstated in any jurisdiction, the Estate will absolutely advise the applicable medical boards of your breaches of the physician-patient privilege and any continuing refusal to honor the physician-patient privilege in connection with your treatment of Michael Jackson.

All rights and remedies are expressly herein reserved.

Very truly yours,

Howard Weitzman