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Attorneys for Claimant/Creditor **JAMES SAFECHUCK**

FILED
Superior Court of California
County of Los Angeles
MAR 18 2015
Sheri R. Carter, Executive Officer/Clerk
By [Signature] Deputy
Betzelida F. Mendez

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

ESTATE OF MICHAEL JOSEPH JACKSON,

Deceased.

Case No.: BP 117321

[Assigned to the Honorable Judge Mitchell L. Beckloff, Dept. 51]

SUPPLEMENTAL DECLARATION OF CLAIMANT/CREDITOR JAMES SAFECHUCK IN SUPPORT OF AMENDED PETITION FOR ORDER TO ALLOW FILING OF LATE CLAIM AGAINST ESTATE

(California Probate Code Section 9103)

Hearing Date: July 21, 2015 [RESERVED]
Time: 8:30 a.m.
Dept.: 51

[Filed concurrently with Amended Petition for Order to Allow Filing of Late Claim Against Estate and Request for Judicial Notice]

REDACTED COPY FILED PER COURT ORDER

DATED JULY 24, 2014

SUPPLEMENTAL DECLARATION OF CLAIMANT/CREDITOR IN SUPPORT OF AMENDED PETITION FOR ORDER TO ALLOW FILING OF LATE CLAIM AGAINST ESTATE

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ORIGINAL

1 believed him. I never knew that what he did to me was sexual abuse. I continued into adulthood
2 not understanding that what he did and what we did together was wrong. During the entire time I
3 knew the DECEDENT, he continued to intimidate and threaten me in a manner that can be
4 described as subtle only in the sense that he did not threaten actual physical violence — but his
5 intimidation and threats were no less real and effective. He told me over and over again that my
6 life would be finished if anyone found out about what he/we had done, and I believed him. I had
7 no reason not to because he trained me to believe that and I had no reason to doubt or question
8 what he said. And, because of who the DECEDENT was—his power, his iconic status around the
9 world, his fame and fortune—I knew that he could see to it that my life would be over if what
10 happened ever came out. I lived my entire life in fear and dread of that happening, even after he
11 died, because he continued to remain the superstar that he was in life in the eyes of the world. His
12 stature and popularity grew even more and continues to grow every day. He is an icon and will
13 remain so forever. Because of who the DECEDENT was and still is, the intimidation and threat
14 of exposure was and remained real to me during my entire life. His threats of the world shunning
15 and ridiculing me continued after his death. He no longer needed to be around for the threat to be
16 there.

17 5. In 1993, I had testified for the DECEDENT at the Jordan Chandler sexual abuse
18 trial. The DECEDENT had told my parents and me that that the claims that Jordan made that he
19 was sexually abused by the DECEDENT were lies, and that it was complete extortion on the part
20 of the Chandler family. The DECEDENT had long before convinced my parents that he could do
21 no wrong, and they revered him. Again, we all worshipped the DECEDENT. The DECEDENT's
22 lawyers rehearsed questions and answers with me, and I did what I was told. There was no
23 reason to doubt the DECEDENT; he had drilled into me that what we did was "love" and was a
24 good thing. People wouldn't understand what we had together so we (meaning me) could never
25 talk about what he/we did together. Everything was always in terms of denying anything had
26 happened, hiding what we did from the world and not letting the world find out because it would
27 be the end for me and my life. During the Jordan Chandler case, I was a young teenager. I
28 believed everything that the DECEDENT told me and was intimidated and influenced by

1 everything he said. That included his threat that my life would be over if the truth ever came out.
2 This was confusing and remained confusing to me because I also believed him when he told me
3 that what he/we had been doing was good and that it was because we loved each other, and it was
4 secret—only for us to know and share.

5 6. Continuing into the 1990's, when I became a preteen and then a teenager, I still
6 spent a lot of time with the DECEDENT, travelling with him, working with him, being his friend
7 and confidante, and in effect, being his regular companion. He was everything to me and my life.
8 I worked with the DECEDENT and saw and spoke to him all the time. I knew that we had a very
9 special relationship. That never changed even as I got older. The last working experience I had
10 with the DECEDENT was in 1995 when he and/or DOES 2 and 3 employed me as an
11 intern/shadow director for DECEDENT's "Earthsong" video. I was also a wardrobe double for
12 the DECEDENT, and I was actually in the video—my hand appears in the video punching the
13 ground.

14 7. In the years after 1995, my relationship with the DECEDENT changed and our
15 constant contact began to taper off. In 1997, when I was 19, I enrolled in Moorpark Community
16 College because I thought a community college would be easier for me to try to get good enough
17 grades so I could try get into USC. I was never able to do that, and was never able to get the
18 university education I had always wanted, because of the DECEDENT's overpowering influence
19 over me and my parents.

20 8. When I attended Moorpark Community College, I started having panic attacks. I
21 had one during a Spanish tutoring session. I had no idea what was wrong with me. To stabilize
22 my panic, I would excuse myself from wherever I was when I began to have the attacks, and then
23 I would walk around until I could calm down enough to go back to what I had been doing.

24 9. I now realize, which I did not know then and did not begin to understand until my
25 therapy began in 2013, that at the core of my being was the constant fear I lived in of having the
26 truth come out and being exposed, and what would happen to me if that ever happened. I never
27 had a "normal" childhood or life. The DECEDENT took that from me. His threats and
28 intimidation were very real and I have lived my entire life in constant vigilance, and in fear of

1 being exposed and the aftermath if that happened—what the DECEDENT told me over and over
2 again would happen—my life would be over.

3 10. In 2003-2004, I was 25 years old. The career I had in my early 20's with my
4 musical band was coming to an end, and I began to focus on what I was going to do with the rest
5 of my life—finding a career, earning a living and building a “real” life for myself outside of the
6 life that I had with the DECEDENT.

7 11. During that time period, I had stopped seeing DECEDENT, but DECEDENT
8 would continue to call me once or twice a year to talk to me and “check in.” The calls I received
9 from DECEDENT were generally of two types: either he would call when he was intoxicated and
10 ask me questions about my sex life; or he would talk about how we were “going to do something
11 great together” soon. I believed that DECEDENT wanted to remain as part of my life because he
12 still cared for me, but I also perceived these calls to be DECEDENT's way of checking in on me
13 to make sure that I was still under his influence and that he didn't have to worry about me
14 divulging the secrets of our relationship. In effect, it was DECEDENT's way of subtly
15 threatening and intimidating me into “keeping quiet,” in the same way he had been doing for all
16 the years before. He would remind me that what he/we had done was “my idea” — which it hadn't
17 been—and he would remind me to “keep quiet” and “beware.” It was ingrained in me at that
18 point. At the same time I also thought that he was sincere about our getting together to make
19 movies or do something together in the entertainment realm—he had always said that I would do
20 great things with him and I never doubted him. I had always believed what he said to me, and I
21 knew that if our secret came out or he/I were exposed in some way my life really would be over.

22 12. When I first heard about the criminal investigation of DECEDENT in 2003 which
23 later resulted in his criminal trial in 2005 for the sexual abuse of Gavin Arviso up in Santa
24 Barbara County, I felt extremely panicked and scared. I was 23 or 24 when I first heard about the
25 criminal investigation. It was all over the news and TV. I remember sitting at home watching the
26 news on TV about the investigation and feeling that I needed to be hyper-vigilant because people
27 would be coming for me. Soon after that, news reporters from all over the U.S. and the UK did in
28 fact come to where I was living, but I refused to talk to them. My state of mind was one of panic

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1 and I hid from them. I felt like I was "under siege." I had an overwhelming fear that the truth of
2 my relationship with DECEDENT was about to be exposed to the world, and that when it was,
3 my life would be finished. This fear was definitely rooted in DECEDENT's indoctrination of me
4 as a child, which deeply ingrained in me the belief that if our secret ever came out then "it would
5 all be over." I also knew from everything the DECEDENT had drilled into me in the past, and
6 continued to drill into me when he called me, that I could never discuss what had happened or
7 risk anything that would expose us.

8 13. During the period between 2003 and 2005 when the criminal investigation and
9 trial investigation were constantly in the news, I increased my use of drugs to numb the terror and
10 pain I was experiencing. I had been using drugs to numb myself before, but with the heightened
11 media exposure I increased my use. This self-medication/numbing process continued until
12 approximately 2006, and after I stopped using drugs, the symptoms of what I know now to be
13 Post-Traumatic Stress Disorder (PTSD) returned in full force and I lapsed into a severe
14 depression for several years.

15 14. During this period, the DECEDENT kept calling me and would tell me that he
16 wanted to help me with my career, but always with the same reminders to intimidate me from
17 ever talking or exposing what had happened between us. Then, sometime in 2005, shortly before
18 the criminal trial of DECEDENT was set to begin, DECEDENT called me. DECEDENT began
19 the call by asking me how my band was doing and saying that he wanted to help me with my
20 music and directing. He then asked me if I would be willing to testify at the trial, and said that
21 charges against him were a "scam" and that his accusers were lying and just wanted money. He
22 then went into a speech saying things like "you believe me" and asking if I "would be there to
23 help testify" on his behalf. I felt that his offer to assist with my music was a way to induce me to
24 testify for him. I told him that I wouldn't testify because I didn't want to be in the public eye and
25 just wanted a normal life. DECEDENT became very angry and began to overtly threaten me,
26 saying that he had the best lawyers in the world and that they would get me for perjury on my
27 testimony from the 1993 Jordan Chandler case. I had never experienced the anger of the
28 DECEDENT before this. When I told him I couldn't testify, the DECEDENT said that he was

1 going to call my parents and ask them to testify. I tried to calm DECEDENT down by telling him
2 that I wasn't going to reveal anything about our relationship. I just didn't want to be a part of a
3 trial in front of the whole world. Because this was the first time I had experienced such anger on
4 DECEDENT's part, it created a whole new level of fear and intimidation. I was terrified that
5 DECEDENT would perceive me as a threat, and that he would speak to my parents. I was
6 panicked by it. I begged him to leave me out of it. I wanted to shrink away from the whole thing
7 and not be perceived as a threat to the DECEDENT because I was afraid of the repercussions if I
8 didn't go along with what he wanted me to do, and also what would happen if I told about what
9 he/we had done—that my life would be over. I felt then that I could never have any life because
10 of this—the fear would always be there hanging over me if I ever said anything.

11 15. Shortly after that call with the DECEDENT, my mother began to call me asking if
12 something had happened between me and DECEDENT. I told her I was OK and never answered
13 her question. On the night of the last of her calls about this subject, and on the spur of the
14 moment, I decided to drive over to my parents' house. When I got there I had a very short
15 conversation with my mother. I told her in words to the effect that "he's not a good person," and
16 that the DECEDENT is a "bad man." I said something to her to the effect that "something had
17 happened" and nothing more. I didn't verbalize anything specific—I couldn't—even with my
18 own mother it had been drilled into me by the DECEDENT not to say anything to anyone and to
19 deny everything if asked. I then begged her not to say anything or my life would be over. I
20 believed that. DECEDENT had drilled it into me since I was a child. The entire conversation
21 with my mother, which wasn't really a "conversation" but just me talking to her, lasted a few
22 minutes. I then left the house. I said nothing to my father about this.

23 16. Within a day or so afterwards, the DECEDENT called my parents asking if they
24 would testify at the trial for him. I was at my parent's house when DECEDENT called, and in the
25 background (because the DECEDENT didn't know I was there), I whispered to my mother
26 "please don't tell him you know anything." My mother told DECEDENT that she wouldn't
27 testify but my father initially said that he would. As it turned out, my father ended up deciding
28 not to testify.

1 17. During the course of the trial, I received a call from DECEDENT's attorneys and
2 his assistant, Evvy Tavasci. They asked me again if I would testify at the trial as they needed me
3 to refute testimony given by the cooks at Neverland Ranch. I told them "let them say that, I don't
4 want to be involved." The lawyer cut off the call abruptly.

5 18. Towards the end of the trial, the DECEDENT called me again to ask if I would
6 meet him in person to talk. DECEDENT immediately launched into what seemed to be a
7 rehearsed speech, as if the call were being recorded. I was afraid that was a possibility, because I
8 knew from the past that DECEDENT recorded telephone calls on a regular basis. DECEDENT
9 apologized for "not being there for me," with respect to my music and career, and then asked if
10 we could meet in person to discuss my testifying. The very sound of DECEDENT's voice made
11 me very uncomfortable and put me into a panic mode. He continued to pressure me to testify and
12 told me that Gavin Arviso (the victim in the criminal prosecution) was just trying to get money. I
13 told DECEDENT not to call or try to talk to me ever again, and then told him that I was hanging
14 up.

15 19. Whether he continued to call me or not, the DECEDENT's influence over me and
16 his intimidation continued nevertheless. I was scared of the DECEDENT and what he could do to
17 me if I ever crossed him or said anything about what he had done to me. I am still scared by the
18 public presence and adoration he continues to have even in death.

19 20. The best way I can explain it is that the drilling by him over my lifetime has left
20 me in a state of constant fear that if anything came out about what he/we had done---his sexual
21 abuse of me---my life would be over. Because of the DECEDENT's iconic stature, popularity,
22 wealth, fame and power, I feared the publicity of it coming out in the open and what the
23 DECEDENT himself would do to me if it happened. I knew the DECEDENT would never be
24 found guilty---he was a superstar and above the law. Everyone knew that, whether they admitted
25 it or not. When the DECEDENT wasn't convicted, I knew what my future had to be. Everything
26 had to remain locked up in me and I couldn't ever say anything. I saw what happened to Gavin
27 and his family---how they were discredited by the DECEDENT and his lawyers and how they
28

1 had become pariahs in the media. Because of the DECEDENT, and his power and influence, I
2 was trapped, and could never say or do anything.

3 21. After the verdict in the criminal trial in June of 2005 up to the time of the
4 DECEDENT's death four years later on June 25, 2009, I continued to feel the effects of the
5 DECEDENT's intimidation. He didn't need to call me or do anything --- he had already done
6 those things for years. I knew I had to be the faithful boy and never say or do anything that
7 would reveal what had happened between us. During those years, I tried to create a life for
8 myself, and I stopped using drugs in 2006.

9 22. I learned on the news that DECEDENT had died. When I found out, I felt sad
10 because I realized I would never have the opportunity for a normal relationship with him. I felt
11 that my experiences with him would never be resolved. DECEDENT's death and the media circus
12 which followed it also heightened my constant sense of dread that the truth of our relationship
13 would be exposed to the world. I knew I could never have a normal life if the secret was
14 revealed, even after his death.

15 23. I got married and had a son. I continued to live in denial and secrecy. After my
16 son was born in late 2010, my fear of exposure became worse as I realized that now other people
17 were a part of my life and I was dragging them into it. I began to see how innocent children really
18 are, and to worry that I would have pedophilic urges. I was even unwilling to continue with a
19 family tradition and give my son the name "James." My wife and I had been married since 2007,
20 but I had never told her about the sexual abuse. During her pregnancy, I sought help from Dr.
21 , a general practitioner, who prescribed Xanax to me to help with the anxiety I was
22 experiencing. I did not discuss the abuse or DECEDENT's psychological manipulation of me
23 with Dr.

24 24. Shortly after May 1, 2013, I saw on the news that Wade Robson ("Wade") had
25 filed a lawsuit against DECEDENT for claims of childhood sexual abuse. When I saw the story,
26 the nagging fear of exposure again reared up in me and I thought, "Oh no, now I'm exposed!"

27 25. I went into a severe panic for a week or so. I did not have an epiphany or "aha!"
28 moment after seeing Wade's story, but I began thinking for the first time that I needed to seek

1 psychiatric help. I wanted to speak to Wade and share my experiences with someone who had
2 been through the same trauma, but I was afraid of being exposed. The same feelings I had during
3 the DECEDENT's criminal investigation and trial, and when he died, came out all over again. I
4 kept thinking that contacting Wade would expose me in the way I feared the most, and fulfill
5 DECEDENT's prophecy that "bad things will happen to you" and that "my life will be over" if
6 anyone ever found out the truth of what happened between me and DECEDENT.

7 26. During the years 2009-2013, I spent all of my energy trying to keep things
8 together. I had trouble sleeping, experienced panic attacks, and had constant anxiety. It was not
9 until I saw Wade on television talking about the DECEDENT's molestation of him, that I began
10 to sense something. It is hard to explain, but I had a feeling that I needed help, and that the cause
11 of my fear, panic and anxiety might have been because of what the DECEDENT did to me.

12 27. I first met with a psychiatrist, Dr. _____, on May 20, 2013. Dr.
13 _____ is actually a psychiatrist who specializes in treating women suffering from post-partum
14 depression. I was afraid to see anyone for help who might be viewed as a psychiatrist who treated
15 victims of abuse. I was still living in fear of exposure and what would happen to me and my life,
16 and now the lives of my wife and son, if the secret came out. At least, though, with Dr. _____ I
17 was finally able to discuss the DECEDENT's abuse during my treatment. I was diagnosed with _____

18
19 _____ I go to therapy one a week. I try to look like I have "it
20 together", but I struggle on a daily basis with panic, depression and anxiety. Until I began
21 therapy, I didn't realize how "sick" it was that DECEDENT had done the things he did to me as a
22 child.

23 28. On August 6, 2013, my baby daughter was born. Until I had my own children and
24 realized how innocent they were and what "blank slates" they were, I didn't appreciate that when
25 you are made to think as a child that something was "your idea" it did not seem as bad as it
26 actually was.

27 29. It was only after I began a regular course of therapy in late 2013, including seeing
28 Dr. _____, that I was able to acknowledge and face what happened to me. Even after the

1. DECEDENT died in 2009, I was still afraid of what would happen to me if the truth of what he
2 had done ever came out. The fear never goes away. I still have it now. The molestation affects
3 everything in my life-- what I do and how I feel. I have started a healing process, but I take one
4 day at a time. The DECEDENT is still everywhere--on the radio, in concerts and shows, in the
5 news, in the media. There is no escaping him or his presence. It has never been a situation where
6 he went away or went out of my life.

7 30. Apart from my therapists I have been unable to talk to anyone about what
8 happened to me, and I still have great difficulty in talking about it. Making my prior declaration
9 and this one is a painful experience.

10 31. What I have struggled the most to overcome is my fear of having what
11 DECEDENT did to me exposed to the world, which continues to plague me despite the fact that I
12 have now admitted the truth of what happened. DECEDENT's constant admonitions to "never
13 tell anyone or your life will be over" left a profound and lasting impression on my psyche, and
14 taught me to live in perpetual terror of what would happen if anyone ever found out.
15 DECEDENT's word was like gospel; he was always right and no one ever contradicted him. The
16 DECEDENT's omnipotent, almost god-like status made the effects of this message "not to tell"
17 infinitely more powerful than it would have been coming from virtually anyone else on Earth.
18 DECEDENT is among the most talked and written-about entertainers of all time, and a revelation
19 of the truth of our relationship would truly have exposed me to the entire world as he had
20 prophesized. Even after his death, DECEDENT's message still haunted me and kept me in a
21 constant state of fear, as everywhere I went I could still see his image and hear his music.

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1 32. It is not as though the DECEDENT is some little known person. He is adored by
2 millions if not billions of fans around the world, and even in death, he remains a powerful figure
3 in history. I am nobody in comparison. DECEDENT's warnings, not to fall felt very real and
4 alive, and they continue to have a profound impact on me. It is only now through the slow process
5 of therapy that I have finally begun to understand and undo their effects.

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

8 Executed on this 12 day of March, 2015, at Los Angeles, California.

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12 James Safchuck
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11 Attorneys for Claimant/Creditor JAMES SAFECHUCK

FILED
Superior Court of California
County of Los Angeles

MAR 18 2015

Sherril R. Carter, Executive Officer/Clerk
By Berzaida F. Mendez Deputy

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

14 ESTATE OF MICHAEL JOSEPH JACKSON,

Case No. BP 117321

15 Deceased.

[Assigned to the Honorable Judge Mitchell L. Beckloff, Dept. 51]

16 **CLAIMANT/CREDITOR JAMES**
17 **SAFECHUCK'S REQUEST FOR**
18 **JUDICIAL NOTICE IN SUPPORT OF**
19 **AMENDED PETITION FOR ORDER TO**
20 **ALLOW FILING OF LATE CLAIM**
21 **AGAINST ESTATE**

Hearing Date: July 21, 2015 [RESERVED]
Time: 8:30 a.m.
Dept.: 51

[Filed concurrently with Amended Petition for Order to Allow Filing of Late Claim Against Estate and Cal. Prob. Code § 9151 Supplemental Declaration of Claimant James Safechuck in Support of Creditor's Claim and Petition for Order to Allow Filing of Late Claim Against Estate] ;

22 **REDACTED COPY FILED PER**
23 **COURT ORDER DATED JULY 24, 2014**

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CLAIMANT/CREDITOR JAMES SAFECHUCK'S REQUEST FOR JUDICIAL NOTICE
[REDACTED COPY]


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Pursuant to California Evidence Code § 452(d), Claimant/Creditor James Safechuck requests that the Court take judicial notice of the Declaration and Certificate of Merit of Dr. [redacted] in Support of Complaint filed on May 10, 2013, in the matter of *Wade Robson v. Doe 1, et al.* (Los Angeles Superior Court Case No. BC508502). A true and correct copy of the Declaration and Certificate of Merit is attached hereto as Exhibit A.

Dated: March 17th, 2015

GRADSTEIN & MARZANO, P.C.
HENRY GRADSTEIN
MARYANN R. MARZANO
MATTHEW A. SLATER

By: 
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JAMES SAFECHUCK