

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EDGAR B. PEASE III, ESQ. SBN 159919
LAW OFFICES OF EDGAR B. PEASE III

ENCINO, CA 91436

Attorney for Defendants
HEAL THE WORLD FOUNDATION
and UNITED FLEET

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JOHN G. BRANCA, Special
Administrator of the Estate of
Michael Jackson; JOHN MCCLAIN,
Special Administrator of the Estate of
Michael Jackson; TRIUMPH INTERNA
TIONAL, INC. a California corporation,

Plaintiffs,

HEAL THE WORLD FOUNDATION, a
California corporation; UNITED FLEET,
a California corporation; and DOES 1-
0, inclusive,

Defendants.

Case No.: CV 09-07084 DMG (PLAx)

**DEFENDANTS' WITNESS KATHERINE
JACKSON'S, EXECUTED DECLARATION IN
LIEU OF DIRECT TESTIMONY**

Time: 9:30 AM
Date: April 8, 2011
Place: Courtroom 7
Judge: Hon. Dolly M. Gee

TO THIS HONORABLE COURT AND ALL INTERESTED PARTIES:

**Defendant's Heal the World Foundation and United Fleet hereby submit
their witness KATHERINE JACKSON'S executed declaration in Lieu of di-
rect testimony.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I, KATHERINE JACKSON, under penalty of perjury, hereby declare that I will appear at trial and testify the following information to be true, accurate and correct:

1. I am the Mother of Michael Joseph Jackson, who is deceased, the current legal guardian of his three young children; Michael Joseph Jackson Jr., (Prince) Paris Michael Katherine Jackson, Prince Michael Jackson II (Blanket) and together, we make up 80% of the Plaintiff's; Estate of Michael Jackson's beneficiaries. The other 20% is to go to a selected charity.
2. Further, I was designated in my son's trust, (see ex.9 article 3 paragraph 1, attached hereto) to be a part of the committee of authorized persons that would make the decision on what charity would become the beneficiary of that 20%, however, against my expressed wishes, I have been completely excluded from any decisions concerning this issue or any other decision pertaining to my son's estate.
3. *"As soon as reasonably practical after the death of the Trustor, the trustee shall distribute a sum equal to twenty percent (20%) of Trustor's gross estate, as valued for federal estate tax purposes, to one or more charities for the benefit of children, and/or children's causes. The recipient charities shall be selected by a committee consisting of JOHN BRANCA, JOHN McCLAIN and KATHERINE JACKSON (herein, the "Committee")* Nearly two years after my son's death, the estate's funds are being used to hire lawyers that suppress my

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

family's ability to support charity, instead of giving away the 20% according to his wishes.

4. I make this declaration from my own personal knowledge. If called upon as a witness, I could and would testify truthfully and completely to the following.

5. It is not my desire, nor would it be the desire of my son Michael, to continue this lawsuit against Heal the World Foundation. Michael would be very upset, if he knew that our charity was being torn down by people who say they are doing what he wanted.

6. I had hoped that once we all joined the Board of Directors of Heal the World and it was made clear my desire to be a part of the charity, that the Executors would withdrawal this lawsuit against the charity. However, they did not.

7. Myself and my husband, Joseph joined the Board of Directors last year, immediately after we found out that Heal the World was in danger of being destroyed by the executors of the estate. The executors issued a subpoena for my husband Joseph Jackson and my son Randy, after they found out that Ms. Johnson had met and voted us on the Board of the charity. I did not get a subpoena, but I would like to have a say at some point, about what these men are doing on my son's behalf, because it's just not right.

1
2 8. John Branca bringing this lawsuit against any charity, much less
3 Heal the World, is not what my son wanted and Michael is not here to
4 speak up for Heal the World, which is why I want to be here to speak for
5 him.

6
7 9. Mr. Branca was a man that my son was very worried about.
8 Michael told me on more than one occasion that he did not like this man
9 and did not trust him, he told me that John had stolen from him. This law-
10 suit is exactly the type of awful thing that Michael said he was capable of
11 doing.

12
13 10. Continuing to sue his charity, even a charity that myself and my
14 son's children support, is only one example, where the estate Executors are
15 doing the opposite of what Michael wanted, the opposite of what I want now,
16 and instead, they do what they want and what is in their own best interest.

17
18 11. These people are saying I have been manipulated by Melissa
19 Johnson and that we are exploiting my grand children, because we joined
20 Heal the World, all while the executors convince people they are only doing
21 what Michael wanted or what is in my best interests by suing everyone who
22 help us. Please do not believe them. It's not true.

23
24 12. The Estate executors recently filed a similar lawsuit against How-
25 ard Mann, my business partner and financier, the same man I asked to pay
26 for the defense of this lawsuit; they requested from that court, shortly after
27 learning he would pay for this law suit, what little proceeds we had made
28

1
2 demanded a bunch of things. Oprah relented and did not air the segment
3 about the executors at all. Please see my interview: Oprah (ex. 10a video
4 B)

5 <http://www.youtube.com/watch?v=7IsCHA9Y6wQ&feature=related>

6
7 16. On 11-10-10, I attended a book signing in Beverly Hills, to pro-
8 mote my new book. I did not know my partner Howard Mann, had decided
9 to
10 donate proceeds to Heal the World Foundation, but the estate sent out a
11 cease and desist letter to us on 11-09-10, threatening us, for using my
12 son's name and image for the event. I do not approve of this behavior, nor
13 would my son.

14
15 17. On Feb 23rd 2011, I attended an event for a homeless shelter with
16 Heal the World and my grand children, who also have an active role in the
17 Youth Board of Advisors. Prince, Paris and Blanket had visited this particu-
18 lar homeless shelter long before they became members of the HTWF Youth
19 Board and we decided to make another visit. (see ex.5 attached hereto)

20
21 18. The Children and I did an interview with Good Morning America
22 during that event to bring much needed media exposure to the shelter and
23 their needs, but the day before that show was to air, I was told the GMA
24 lawyers got a long threatening letter from the Estate Executor's lawyers,
25 trying to prevent the show from airing. This time, the GMA anchor (Robin
26 Roberts) refused to meet their demands, but they still pulled the primary
27
28

1
2 segment concerning the estate executors. Please view my interview: (ex. 10a
3 video C) <http://www.youtube.com/watch?v=ctcezzXQi90>

4 19. During that GMA show, the Estate lawyer's made a terrible state-
5 ment about me and Heal the World exploiting my grand children to promote
6 the charity, (see ex.5a); it has been such a terrible time, having these men
7 controlling my son's affairs and falsely representing him, me and my family.

8
9 20. The Executors ruined a wonderful opportunity for many children
10 in that shelter to get help from people watching the show. I don't under-
11 stand how they can do these things claiming it is in our best interest.

12
13 21. Michael's children absolutely do want to carry on their father's
14 legacy of giving and healing and to demean and distort that desire, for greed,
15 is as awful as you can get. In Jan. 2010, long before this lawsuit, my grand
16 children told the world exactly how they felt about it and their intentions to
17 carry on their father's charitable legacy. (see ex.6 attached hereto)

18
19 22. The executors trying to take away Heal the World from us and the
20 whole world, is not in our best interests, it is not what we want and it is not
21 what my son wanted.

22
23 Further, I will testify to the following:

- 24 a. On July 26th 2010, myself and my husband Joe, willfully joined the
25 Heal the World board of directors. I authorized and voted in favor of
26 my three grand children to join the Youth Board of Advisors. (see ex-
27 hibits 1, ex. 1a and ex. 1b attached hereto)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- b. On Sept 21st 2010, myself and my husband Joe, willfully joined the 1991 HTWF Board of Directors and voted to change the name, so we could revive the Foundation. (see exhibit 2. attached hereto)
- c. On Nov. 19th 2010, myself , Joe and the rest of the boards, voted in favor to merge the 1991 corporation with the 2008 corporation. (see exhibit 3. attached hereto)
- d. On Feb 10th 2011, myself and my grand children attended a Youth Board of Advisors meeting for Heal the World Foundation. (see exhibits 4, ex.4a, ex.4b, ex.4c and ex.4d.)
- e. On Feb 23rd 2011, myself and my grand children attended a charity event for Heal the World Foundation at a homeless shelter. (see exhibit 5. attached hereto)
- f. My son talked to me many times about healing the world and his foundation, it is what he wanted to do and how he wanted to do it.
- g. Michael told me that his charity was very important to him and to his children and he wanted it to be a great organization for all children of the world.
- h. Michael did not want his charity to be destroyed or lost; he wanted Ms. Johnson to run it for him.
- i. I want Ms. Johnson to run the charity for him and the Jackson family and what I don't want, is John Branca to run anything with our name on it.

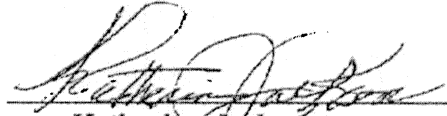
23. I met Melissa Johnson and Mel Wilson in the summer of last year. They are good and selfless people and I have grown to trust them very much. They have done a remarkable job with my son's charity and they have made me happy to be a part of their work. (see ex.8 attached hereto)

24. This letter (see ex.8 attached hereto) says a great many things of the way I feel about Heal the World Foundation, Ms. Johnson and the other volunteers, as well as my commitment to help this organization.

I swear under penalty of perjury under the laws of the United States that the foregoing is true and correct.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Executed this 6th day of April at Encino, California.


Katherine Jackson

T M Z