

LOS ANGELES

Daily Journal

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— SINCE 1888 —

OFFICIAL NEWSPAPER OF THE CITY OF LOS ANGELES AND THE COUNTY OF LOS ANGELES

THURSDAY,
JULY 14, 2005
VOL. 118 NO. 135

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Jackson Tidbits Leak With Impunity in Tinseltown Press



Forget that uproar in Washington, D.C., about who leaked the name of a CIA officer to reporters for possibly nefarious purposes.

Right here in Southern California, lawyers are exchanging barbed missives over who tried to spin coverage of a civil suit involving pop star Michael Jackson,

recently acquitted of criminal child-molestation charges in yet another celebrity trial of the century, by allegedly leaking tidbits about the case to a reporter for Fox News.

And I've got my very own leaked copies of the letters to help me tell this behind-the-scenes tale of the Jackson civil case, which has mixed freedom-of-the-press issues, celebrity and tawdriness into a legal concoction as strange, yucky and complicated as anything ever to come out of the White House, or Congress, or a special counsel's investigation.

Moreover, my source doesn't mind being identified, so I don't have to worry about going to jail to protect my sources. (Sorry, but you have to keep on reading to find out who to praise or blame.)

It's important to note that the Jackson civil-case file and proceedings in question were sealed for a time,

apparently because somebody somewhere in the state-court system thought the civil case, which touched on Jackson's private life, might affect the criminal action against Jackson. News media attempts to lift the seal while Jackson's criminal trial was under way failed. Now that the criminal trial is over and Jackson is a lot less newsy, the seal — surprise! — has been lifted.

In May, when the seal was in place, I wrote that the secrecy amounted to "a dead, stinking rat wrapped in the First Amendment."

The case still stinks, but for different reasons, the letters now in my possession show.

In one letter, an attorney for Jackson has accused the litigant against Jackson, former Jackson business associate F. Marc Schaffel, of "feeding his close, gay friend, reporter Roger Friedman of Fox News, with details that ... Friedman made newsworthy and that would, Mr. Schaffel thought, help bring and focus public attention on his claims against the Entertainer." (The capitalization is in the original and the word Entertainer is used several times to refer to Jackson.)

The letter from Jackson attorney Brent Ayscough asserts that, when authorities seized Schaffel's computer as part of the criminal investigation against Jackson, investigators found both pornography and "email transfers of information to Roger Friedman" on

the machine. As recently as June 29, the letter states, "Roger Friedman reported in Fox News details of our civil case that could only have been provided him from Mr. Schaffel."

My source for the Ayscough letter is Schaffel's attorney, Howard E. King, who enthusiastically supplied me with correspondence regarding Friedman. Over several years, King, whose clients include the rock band Metallica, has proved to be a reliable source as well as an attorney who handles interesting and newsworthy cases.

"There is no privilege for litigating in private in California," King told me, explaining why he was making the letters public. He added that he was offended by Ayscough's comments about Friedman.

Indeed, in a letter he said he had faxed to Ayscough on Monday, King writes, "On an unrelated front, I must tell you how disgusting (as well as ironic) I find your consistent homophobic remarks, which have nothing to do with the merits of the case."

Alluding to Jackson's child-molestation trial, King adds, "Surely your client does not want the sexual orientation of the parties to be the issue in this case."

Neither King nor anyone else I have talked to over the course of many years as a journalist has ever

asked about my sexual preferences or made my sexual orientation a condition for their cooperation. If they did, I would report them for immediate neutering to the SPCA.

Meanwhile, King told me that he also has given copies of the letters to Friedman, who, as far as I can tell, has not written about the letters in his column that appears on the Fox News Channel's Web site. As of Wednesday afternoon, Friedman had not responded to an e-mail that I sent him Tuesday afternoon. King told me that it was his understanding that Friedman was consulting with Fox lawyers about a response to Ayscough's letter.

Interestingly, however, Friedman mentions Ayscough in his Wednesday posting about another civil case involving Jackson, one filed in federal court in New York this week by an investment firm claiming that Jackson, whose money woes are legion, owes the company \$48 million.

In that post, Friedman takes a jab at Ayscough and another Jackson attorney, Brian Oxman, as "having enough trouble defending Jackson in the \$4 million civil suit brought by Marc Schaffel."

Friedman adds that the two attorneys are "not quite up to handling something

that's 3,000 miles away and concerns 12 times as much money."

Ouch.

Ayscough, in a telephone call Wednesday afternoon, said he sees King's release of the letters as a ploy "to try the case in the press."

Ayscough also told me that he regrets using the word "gay" in regard to Friedman. He added that Friedman had called him about the letter and maintained that he, Friedman, was not gay.

"My sources are not just off-the-wall sources," Ayscough said, "but it was not my intention to call him a name."

Ayscough stressed that he believes that both King and Schaffel have violated the gag order that once covered Schaffel's lawsuit.

Schaffel, a reputed one-time pornography producer, is suing Jackson in Los Angeles Superior Court for more than \$3 million. Schaffel claims Jackson owes him the money from producing fees and loans that financed Jackson shopping sprees. Schaffel produced a pair of documentaries about Jackson that aired on the Fox broadcast network. The Schaffel films were designed to counter a devastating documentary by a British filmmaker in which Jackson admitted to sleeping with young boys, an admission that sparked the criminal case against him.

The July 6 letter signed by Ayscough also says that any location selected for Jackson's deposition in the Schaffel suit must meet Jackson's security needs. The deposition should be limited to four hours, the letter adds.

Security "is a very real matter to the Entertainer, and any location where he will be appearing has to be cleared with his Chief of Security, which requires considerable effort and preparation prior to the event, in addition to having the place monitored for some period of time beforehand after the proper measures are taken," Ayscough writes.

The letter also reports that Jackson will remain abroad, including his current location in Bahrain, 60 days "recovering from the trial in Santa Maria."

The letter states that Jackson would not agree to let his deposition be videotaped and accuses King and Schaffel of violating gag orders in both the criminal and civil cases.

"The purpose of videotaping a deposition is not to make it more valuable to the news media," Ayscough wrote to King.

Still, even in this digital age, when it comes to painting a picture, words will often do, whether on the West Coast or in Washington.