



**Howard Weitzman**

Direct Dial: (310) 566-9811

Direct Fax: (310) 566-9871

E-Mail: [hweitzman@kwikalaw.com](mailto:hweitzman@kwikalaw.com)

February 10, 2019

**VIA EMAIL AND OVERNIGHT DELIVERY**

Alex Mahon  
Chief Executive  
Channel 4 Television Corporation  
124 Horseferry Rd  
London SW1P 2TX  
United Kingdom  
Email: [amahon@channel4.uk.co](mailto:amahon@channel4.uk.co)

Re: Michael Jackson

Dear Ms. Mahon:

We are counsel to the Co-Executors of the Estate of Michael J. Jackson, as well as various wholly-owned entities that hold intellectual property and other intangible rights associated with the late Michael Jackson (collectively the “Estate” or the “Jackson Estate”).

We write regarding *Leaving Neverland*, an admittedly one-sided, sensationalist program—referred to as a “documentary” by Channel 4, HBO and others—that Channel 4 apparently funded and intends to air next month.

*Leaving Neverland* rehashes accusations against the late Michael Jackson of committing the most heinous crimes any person can be accused of in modern society. The subjects of the “documentary”—James Safechuck and Wade Robson—are admitted perjurers. They spent years litigating their false claims against the Estate, and filed *four different lawsuits* against it, all of which were *dismissed with prejudice*. Today, they are appealing the adverse judgments against them. This documentary appears to be part of their litigation strategy. In the underlying litigations in the trial court, the Estate discovered troves of information about Robson and Safechuck that made it unequivocally clear that they had no credibility whatsoever. And contrary to the claims of Dan Reed and others that the trial court never assessed these men’s credibility in those lawsuits, the trial court effectively found, among other things, that *no rational person could believe that Robson was telling the truth* about various issues (as discussed in the enclosed letter to Richard Plepler of HBO at page 5). Indeed, Robson only brought his lawsuits—with his newly concocted story of abuse—after he met personally with one of the Co-Executors of the Estate pitching himself to choreograph a Michael Jackson-themed Cirque du Soleil show. The Estate declined to hire him.

As referenced above, we wrote a detailed letter to HBO last week setting out many of the problems with this so-called “documentary” and the utter lack of credibility of Safechuck and Robson. The point of this letter is not to repeat ourselves so we are enclosing a copy of that letter and commend you to it. (Everything said about HBO in that letter is equally applicable to Channel 4.) Rather, the point of this letter is to make a different inquiry.

Channel 4’s “Factual Programme Guidelines”<sup>1</sup> provide as follows: “If a programme makes significant allegations against an individual or organisation, those concerned should be given an appropriate and timely opportunity to respond.” I think we can all agree that the false allegations being made in your “documentary” are “significant allegations.” Indeed, as noted above, it is hard to imagine more significant accusations that can possibly be made against anyone. Yet, contrary to your “Factual Programme Guidelines”—not to mention all norms of journalism and documentary filmmaking along with good old-fashioned ethics—neither Dan Reed nor anyone else associated with this “documentary” *ever contacted anyone to respond* to the frivolous allegations made by Safechuck and Robson in your “documentary.”

In particular, no one associated with the program ever approached the Estate to provide its views on, and responses to, the absolutely false claims that are the subject matter of the program. Likewise, no one who might offer evidence to contradict the program’s premise was consulted at all, as Dan Reed has publicly admitted. In particular, no one associated with this “documentary” contacted: (1) the Jackson family; (2) persons who worked with Jackson during the relevant time period; (3) friends of Michael Jackson who knew him for his whole life; (4) the many persons who know Safechuck and Robson well but do not believe them; and (5) Jackson’s attorney, Tom Mesereau, and his investigator, Scott Ross, who Robson happily met with for hours in 2005 to tell them about his experiences with Michael. Mesereau found Robson so credible that he made Robson the first witness for the defense in Jackson’s 2005 criminal trial. (Robson’s own mother testified under oath in a deposition in the lawsuits that Robson was such a good liar that he should “have an Oscar.”)

Most egregiously, no one associated with the documentary ever approached other young men and women who spent time with Jackson as children, and who continue to steadfastly defend Michael to this day. This includes *persons mentioned by name* in your “documentary” as having “replaced” Robson and Safechuck as Jackson’s supposed victims of abuse. Those named persons eloquently and publicly deny ever being abused, and have even made public statements to that effect since the documentary was announced in January. How you could possibly imply that persons were subjected to sexual abuse—and are covering it up—without ever contacting those persons is beyond explanation. And it is reprehensible.

---

<sup>1</sup> <https://www.channel4.com/producers-handbook/c4-guidelines/factual-programme-guidelines>

Alex Mahon  
February 10, 2019  
Page 3

In the end, we suspect that the reason that Channel 4 did not comply with its own “Factual Programme Guidelines” is because there is nothing “Factual” about this “Programme” at all. It is a work of fiction. We look forward to your confirmation that that is indeed the case. However, if you continue to represent that there is anything “Factual” about this “Programme,” then please advise us in writing why you chose to deviate so strikingly from your own “Guidelines,” and please address with specificity the many facts set out in the attached letter to HBO.

In the meantime, and lest there be any doubt whatsoever, nothing in this letter should be construed to waive any of the Estate’s rights and remedies at law, equity, or otherwise, all of which are reserved.

Finest regards,

/s/

Howard Weitzman

HW/JPS

Enclosure [February 7, 2019 Letter to R. Plepler, HBO]

cc: Jonathan P. Steinsapir, Esq. (Kinsella Weitzman Iser Kump & Aldisert LLP)  
Bryan Freedman, Esq. (Freedman + Taitelman, LLP)  
Ian Kirby, Esq. (Carpmaels & Ransford)

10386.00347/621412