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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
15 **IN THE COUNTY OF LOS ANGELES**

16 PEOPLE OF THE STATE OF CALIFORNIA,

CASE NO. BA487932

17 Plaintiff,

18 v.

19 DANIEL PETER MASTERSON,

20 Defendant.

**DEFENDANT'S MEMORANDUM  
OF POINTS AND AUTHORITIES  
IN SUPPORT OF POSITION AT  
SENTENCING; EXHIBITS**

Sentencing:

Date: September 7, 2023

Time: 8:30am

Dept.: 105

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**SENTENCING MEMORANDUM**

**I.**

**INTRODUCTION**

In determining sentencing, the Court should keep in mind the primary goals of sentencing in the criminal justice system: punishment, deterrent and rehabilitation. The charges on which Masterson was convicted occurred during a six to eight month period twenty years ago. At the time of the conduct on which the jury reached a verdict, Masterson was twenty-seven years old. He had no criminal record prior to that time period and no criminal record in the twenty years since. This lack of criminal record in itself proves that the goals of rehabilitation have already been accomplished.

Moreover, two fifteen years to life sentences served concurrently is a significant and serious punishment. Masterson is forty-seven years old and has a nine year old daughter. Concurrent sentences will mean that Masterson is not eligible for parole until he is 62 and his daughter is in her mid-twenties. [REDACTED]

[REDACTED] Masterson being away from his family for fifteen years will have a significant impact on him and his family.

Statistically based on his age, Masterson has little to no chance of recidivism. The chance of recidivism is further decreased by Masterson's strong ties to the community and his lack of criminal history.

The defense believes that imposition of concurrent sentences is justified and satisfies the goals of sentencing.

**II.**

**RELEVANT FACTS**

On May 31, 2023, Masterson was found guilty on two counts of forcible rape in violation of Penal Code Section 261(a)(2). On Count One, Masterson was charged with the forcible rape of Jenn B. on or about April 25, 2003. On Count Two, Masterson was charged with the forcible rape of N.T. on or between October 1, 2003 and December 31, 2003. The jury found that Masterson had committed an offense against more than one victim within the meaning of Penal Code section 667.61(c).

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**III.**  
**ARGUMENT**

**A. A Former Version of Penal Code Section 667.61 Applies, Which Gives the Court Discretion To Impose Concurrent Sentences**

Under the relevant version of Penal Code Section 667.61, Masterson’s convictions require that he be punished by imprisonment in the state prison for life and he shall not be eligible for release on parole for 15 years. Penal Code Section 667.61(b)(2003). Based on the charges on which he was convicted, he must also have the specified term imposed once for each separate victim. Penal Code Section 667.61(g)(2003). But the Court has discretion for the terms to be served concurrently. *See People v. Simmons* (2012) 210 Cal. App. 4th 778, 798 (“[T]he former section 667.61, subdivision (g), requires the imposition of a term of 15 years to life for each victim . . . However, this provision does not mandate that those terms be served consecutively.”); *People v. Rodriguez* (2005) 130 Cal. App. 4th 1257, 1262 (“[A]lthough the statutory language of section 667.61, subdivision (b), mandates the imposition of 15 years to life for *each* count involving separate occasions and separate victims, section 667.61 does *not* mandate that those terms must be served consecutively.”)(emphasis in original) Because consecutive terms are not mandated “a trial court shall impose either concurrent or consecutive terms for multiple convictions” *Ibid.* (relying on Penal Code Section 669). “It is well established that a trial court has discretion to determine whether several sentences are to run concurrently or consecutively.” *People v. Bradford* (1976) 17 Cal.3d 8, 20; see also *People v. Lopez* (2022) 76 Cal.App.5th 287, 291.

In exercising discretion, the trial court should consider the factors set forth in California Rules of Court, rule 4.425. *Ibid.* However, it should be noted that the Court may not use the very fact that Masterson was convicted of offenses against two different victims as a reason for sentencing the two counts consecutively. *See People v. Quintanilla* (2009) 170 Cal.App.4th 406, 413; Rule 4.425(b)(3). That also would constitute an improper dual use of facts. *See, e.g., People v. Walker* (1983) 146 Cal.App.3d 34, 38;

1 *People v. Collins* (1983) 143 Cal.App.3d 742, 747; *People v. Lawson* (1980) 107  
2 Cal.App.3d 748, 751.

3 “While it must follow the pertinent statutory guidelines, the court may keep in mind  
4 the length of a sentence it thinks appropriate for a defendant and rule accordingly.” *People*  
5 *v. Kelly* (1999) 72 Cal.App.4th 842, 846-847. The sentencing court properly may consider  
6 “the overall prison term to be imposed” *People v. Stevens* (1988) 205 Cal.App.3d 1452,  
7 1457.

## 8 **B. Mr. Masterson’s Relevant Background and Personal History**

### 9 **CHILDHOOD**

10 Danny Masterson was born on March 13, 1976, to a fairly typical family in New  
11 York. His father was an insurance salesman, like his father before him. Danny was a good  
12 and sociable student who loved baseball. In many ways, he was a typical American boy.

13 In his mother Carol’s letter to the court, she explains what her eldest son’s earliest  
14 years were like...

15 When Danny was born, Danny’s father and I were living in a small  
16 house in Happaage, Long Island. ... I was working as an ER nurse at  
17 the time. Pete Masterson, Danny’s father, was selling insurance. We  
18 lived a simple middle-class life.

19 When Danny was 9 months old, the family moved to Nassau County to be closer to  
20 Carol’s work at the hospital and to Peter’s insurance office. They had a second child,  
21 Christopher, four years after Danny. Carol describes the contented family life that she and  
22 her husband Peter Masterson established...

23 Pete was a great father to the boys, playing sports with them and  
24 taking them to their baseball and hockey games. Danny was easy-  
25 going and friendly. He ... surrounded himself with friends and family  
26 from early on. He started playing little league when he was 5 years  
27 old and continued into high school where he made the Varsity team  
28 in his freshman year. Danny also played on the local ice hockey team.  
His childhood teammates remain friends to this day.

Not that everything was perfect. When Danny was in third grade, his parents had a  
reality check for him; their marriage wasn’t working. Danny recalls...

They only told me they weren’t getting along. I remember crying with  
my dad.

1 Carol and Peter divorced but remained on good terms. Danny came to accept the  
2 situation and stayed very close to both parents. Even after his mother remarried and moved  
3 with her sons to Florida, his father would fly there regularly to spend time with the boys,  
4 and he called often.

5 **ACTING**

6 Before the divorce, a chance encounter altered the trajectory of the Masterson  
7 family's life. Carol relates...

8 When Danny was four, while walking in a park, a casting agent  
9 stopped to ask me if I would be interested in Danny modeling  
children's clothes for magazines and commercials. She left me her  
card.

10 While Carol didn't respond, several other agents and scouts approached her in  
11 various settings in subsequent years. She attributes the attention to Danny's curly-blond  
12 hair and outgoing personality, and a look well-suited to the time. It took a while for her to  
13 react...

14 Several years later, I decided to look into it and sent Danny's and  
15 Christopher's photos to the Ford Agency, which had the best  
reputation as a family modeling agency. To my surprise, they signed  
16 Danny and Chris, and they started getting calls to work immediately.

17 Danny was soon modeling clothes during summer breaks from school. Still, early  
18 on, success was anything but a foregone conclusion. Carol states...

19 I knew nothing about the modeling or commercial world but Danny  
20 wanted to do it. The boys and I would take the train into Manhattan  
for auditions, and make a day of it by visits to museums, libraries, and  
21 theaters. ... I would also take them to Central Park where they would  
ride their bikes around, or roller skate. In the beginning, we just had  
22 fun.

23 Carol recalled the surprising trajectory of Danny's budding early career...

24 Danny was soon cast in commercials and hired for photo shoots at  
some of the largest department stores like Saks Fifth Avenue, Macy's,  
25 JC Penny and others. He was on the cover of Parent Magazine. It was  
demanding work for a kid that required discipline. But Danny really  
26 loved it. I would have never stayed with it if he didn't want to do it.

1 Danny has fond memories of those early years when he quickly evolved from a  
2 child playing with his GI Joe action figure to working as a very young professional.  
3 Danny explains...

4 I loved the work, being treated like an adult by photographers.  
5 I would do three or four shoots a day.

6 It wasn't long before he began acting in commercials. By the time Danny was 16,  
7 his mother—who quit her nursing job to watch over him and his brother in their work—  
8 calculates that he had been in 150 commercials.

9 From early on, Carol notes that she made sure to supervise whenever her young  
10 sons worked...

11 I was always there when my sons were working, making sure they  
12 were treated fairly and stayed safe. Being in that world, I learned a  
13 lot about the business and took on the role of being their Business  
14 Manager.

15 Danny's work afforded the family new opportunities, including an improved  
16 standard of living, but his mother says that he remained kind, humble and generous. She  
17 explains...

18 Even after his success, he never flaunted it or tried to make anyone  
19 feel like he was better than them. He encouraged all his friends to do  
20 their best and championed them in their endeavors.

21 Carol had two more children—Jordan and Alanna—with her new husband, but she  
22 remained appreciative of her ex-husband's fatherly role. Carol observes....

23 ...Pete remained a strong role model for his sons and visited them  
24 every month.

25 In his own letter to the court, Danny's father, Peter Masterson, 75, detailed his  
26 special bond with his eldest child. He writes...

27 Being my first-born son enabled Danny and me to spend a great deal  
28 of quality father/son time together. ... I have many wonderful  
memories of our times together but this particular moment in time has  
always had a special place in my heart. At baseball camp one summer  
there was a bullying incident where a young boy threw a hardball  
pitch directly at Danny's head, resulting in a serious black eye and  
swollen forehead.

When we were driving home from the hospital emergency room,  
Danny asked me if we could call the parents of the boy who bullied

1 him. It didn't sit well with my son that for no reason other than the  
2 fact that he was seen on a TV commercial... this young man taunted  
3 him.

4 He wanted to tell the young boy that he was a regular kid who loved  
5 baseball and he wanted to be friends. I say, ok, and I invited the  
6 parents over for a swim. After we all sat down and talked it out, the  
7 boy realized that Danny was just another baseball-loving kid like him.  
8 This incident showed me early on that Danny possessed a unique  
9 ability to navigate difficult situations with a grace that was beyond his  
10 years.

11 When her second marriage ended after 8 years, Carol became a single mother of  
12 four. Relocating the family to Los Angeles for work, she had to count on Danny to  
13 "become more than a big brother, he became their role model" to the closely bound  
14 siblings.

15 Being the first born, family members explain, Danny became a mentor, protector,  
16 and friend to his siblings. He would spend many hours with his little brothers in the  
17 backyard, teaching them to hit and throw a ball. His brother Jordan writes in his letter to  
18 the court that when their father left the family...

19 ...my brother stepped into a sort of pseudo father figure role for my  
20 little sister and me, even though he was only sixteen himself at the  
21 time. Providing not only money when times were lean (which there  
22 were, plenty), but wisdom and guidance. He set an example for us  
23 about what it was to be loving, professional and respectful. Speaking  
24 as a young man without a father, having my big brother as a lodestar  
25 was a godsend.

26 ...I wouldn't be the person I am today without my brother. Just  
27 knowing someone was there for me outside my mom meant  
28 everything to me. While a young boy's father can't be replaced, I  
would say, in my experience, a great older brother comes really close.  
.... With Danny being the eldest, the majority of responsibility fell on  
him at an age he shouldn't have had to shoulder that responsibility.  
He did. Because he is that kind of person.

As his younger sister Alanna noted in her letter...

Danny is my best friend and helped raise me when my father left us.  
My mom was alone providing for all of us and Danny stepped in to  
shoulder that burden. He helped all of us financially, but also with the  
daily happenings of his younger siblings. He sat front row at every  
ballet recital (of which there were plenty) and made sure he was never  
late, with flowers in hand. He took me to school, to sleepovers. My

1 first movie at the El Capitan. He came to visit me at boarding school  
2 all the time, and he gave his weekends to helping the kids in my drama  
3 class. ... He gave me a job when I wanted to go to college in New  
4 York so I'd have enough money for my subway pass and food. He let  
5 me live with him the entire time I was in school, so I wouldn't have  
6 to worry about the financial burden of finding an apartment. ... He  
7 flew to Atlanta where I was working and held my hand through 30  
8 hours of labor, making me laugh in between contractions. He held my  
9 daughter so I could sleep and recover, while also taking care of his  
10 daughter.

7 Despite his thriving career as a teenager, Carol relates that Danny fulfilled his  
8 responsibilities at home, doing chores around the house, mowing the lawn and keeping his  
9 room clean.

10 As a responsible older brother to siblings 10 and 12 years younger than him, Danny  
11 took the kids to school, baseball practices and ballet classes. Their mother recalls...

12 Whatever they needed, he was there. When I worked late, he made  
13 them dinner. He tutored them on their homework and made sure they  
14 went to bed early. ...

14 Beyond that, she and the younger siblings explain, Danny helped to shape them into  
15 the good, solid adults they become. Carol states...

16 His siblings looked to him for guidance and advice into adulthood.  
17 He made sure they knew right from wrong. Danny would talk to his  
18 siblings about the dangers of drugs and their harmful effects. ... Like  
19 him, they all learned to work hard (as actors) and be kind on set by  
20 learning all of the crew's names, as well as other signs of respect.

19 Guiding his brothers and sister also shaped Danny. His mother explains...

20 So, it was natural for Danny after he booked THAT 70s SHOW to  
21 offer guidance to the younger and less experienced child actors he was  
22 working with. He mentored them, and he warned them of the dangers  
23 of drugs that ruined the lives of so many people in the industry. He  
24 did that to be there for his colleagues, which is why so many of them,  
25 from cast to crew, became close friends.

#### 24 **FAMILY** [REDACTED]

25 Danny and Bijou Phillips began dating when he was 28 and she was 24. Danny was  
26 already an established actor by then and Bijou was in the middle of her own modeling and  
27 acting career. Their relationship soon turned serious.

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After a three-year engagement that stretched out due to their busy professional work schedules, they enjoyed a picturesque destination wedding in Ireland on Sept. 18, 2011.

[REDACTED]

Eventually, in 2014, their daughter was born. [REDACTED]

[REDACTED]

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[REDACTED]

The family moved to Chicago, taking their daughter, who was still a toddler. While there, Danny would care for her with the support of some extended family and friends, and flew out of town, as necessary, for work.

[REDACTED]

[REDACTED] But one thing Bijou says she was not worried

1 about was the state of their daughter because Danny was raising her in a healthy way.

2 Bijou recalls...

3 I depended on Danny to take care of me and our daughter. I always  
4 felt that she would be okay because Danny is an amazing father. He  
5 was devoted to [our daughter], would read her books, take her on  
walks and to ballet lessons. I never once heard him complain. The two  
were inseparable.

6 In Chicago, Bijou adds, her husband took their child on bike rides, to museums and  
7 the zoo, playing soccer and baseball; something active every day.

8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]

16 Francoise Koster is a restaurateur who has had a three-decade friendship with  
17 Danny. She writes of her longtime friend's devotion to his wife [REDACTED]

18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]

24 [REDACTED] the family returned to California to what they thought  
25 would finally be a better, healthier life. That is when they learned of the police  
26 investigation. Soon after, Danny was fired from his popular TV show.

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1 Even as he cared for his [REDACTED] wife and little daughter, it became clear  
2 that his career was over. While still living in Los Angeles, Danny bought a farm in Santa  
3 Ynez and the family moved to the farm fulltime in 2018.

4 With their daughter old enough to attend school, Danny began to study the business  
5 end of growing grapes and making wine. He also became a sommelier, which requires  
6 extensive knowledge of wine service and food pairings. Danny threw himself into the  
7 vineyards where they had planted 6,000 vines on six acres of hillside and ran water lines to  
8 nourish them. Bijou says that Danny was out there, day and night, laboring.

9 His stepmother, Deborah Masterson nee Tracy, notes that the pressures of caring for  
10 his [REDACTED] wife and young child, while losing his job and career, might break some men,  
11 but that Danny was able to stay focused on creating something new and constructive...

12 He moved his family to a farm in Central California and became a  
13 farmer. Laboring in the soil day into night, he grew vines to sell his  
14 grapes and make wine. Danny worked fifteen-hour days. He made  
15 many new and good friends.

16 After work, says Debbie, who moved out from Long Island for a time to help Bijou,  
17 states that she often saw Danny come in from a long day of manual labor, do the dishes  
18 and sit down to do homework with their daughter. On weekends, he would take the  
19 energetic girl for physical activities that neither Bijou, nor Debbie, who will soon have a  
20 hip replacement, could endure.

21 Over the course of their relationship, Bijou explained in her letter, her husband was  
22 a "life-saving partner" and a very special father.

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 [REDACTED]

27 [REDACTED]

28 [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 **Extraordinary Service**

6 Over the course of his career, Danny Masterson has engaged in an extraordinary  
7 amount of service, from helping colleagues, acquaintances and friends, to supporting and  
8 organizing on behalf of nonprofit groups and important causes. Letters have come in to  
9 highlight his philanthropy, anti-drug support, and to find solutions to personal or  
10 professional problems. He is also recognized as a strong, supportive member of the rural  
11 community where his family lives in Santa Ynez in Santa Barbara County, California.

12 **Service to the Community: First Responders and Law Enforcement Officers**

13 **Steven Mona** was a NYPD Lieutenant who retired after 21 years of service as a  
14 unit commander. On Sept. 11, 2001, he was also one of the first responders at the World  
15 Trade Center. Approximately 17 years ago, he met Danny. In a letter to the court, he  
16 explains how they became friends...

17 In 2006, ill from my exposure at "Ground Zero" and recently retired,  
18 I signed up for the New York Rescue Workers Detoxification Project  
19 after it had helped several of my colleagues. Unconventional and non-  
20 profit, the project relied on donations to operate, and Danny was  
21 asked to run a fundraiser. He toured the facility and he and I met as I  
22 had been asked to talk with him about my experience there. Affable  
23 and warm, we immediately developed a rapport which over a brief  
24 period developed into a friendship despite our 16 year age difference.

25 Danny not only agreed to help raise funds for the NY Detox Project,  
26 but he ran several fundraisers, bringing in his friends from the  
27 entertainment industry to help. I was at many of those fundraisers,  
28 sometimes as a guest speaker, and I have watched Danny use his  
celebrity to help many of my fellow rescue workers. He received  
nothing in return for all he did for us and always asked, "what more  
can I do?"

26 **Theresa Ashton**, Executive Assistant to the President of the two largest law  
27 enforcement unions in New York, offered his own perspective on Danny's efforts to  
28 respond to the enduring pain and damage caused by 9/11...

1 Danny did a lot for the members of the police department and all 9/11  
2 rescue workers and victims of that tragic day. He helped raise millions  
3 of dollars so that rescue workers could receive free medical care for a  
decade.

4 For all of his charitable efforts and hard work, the NYC SBA  
5 nominated Danny for the prestigious “Ellis Island Medal of Honor,  
6 which he was awarded in 2013. Danny also was awarded the SBA  
“Heroes” at the SBA Heroism Dinner for all that he had done in NYC  
for the rescue and recovery workers after 911.

7 **Patrick McGreen**, a retired New York Fire Department lieutenant, spoke of  
8 Danny’s impactful contributions in the aftermath of 9/11...

9 [Danny] helped many colleagues to recover from the damage from  
10 breathing in the toxic fumes when the towers collapsed. I worked  
11 closely with him at many fundraisers. He organized, donated and put  
in his time and money, and I was a speaker at these fundraisers.

12 **Gavin McCutchen**, a retired captain in the New York City Fire Department, was a  
13 first responder on-site when one of the Twin Towers collapsed. In a letter dated January  
14 24, 2008, Captain McCutchen wrote to thank Danny for his involvement in the New York  
15 Detox Project...

16 I was off duty on 9/11 and responded to Ground Zero from my home  
17 in Queens. I arrived as the second Tower collapsed. I was down there  
18 for 2 days straight and many months afterwards looking for survivors  
at first, and then looking to recover the remains of many of my friends  
and colleagues who were killed that horrible day.

19 Subsequently, I became very sick from breathing in the toxic air that  
20 was emanating from Ground Zero. I was hospitalized on numerous  
occasions because of my difficulty breathing and also because the  
oxygen level in my blood would drop.

21 I heard about the New York Detox Project through a fellow firefighter  
22 who had successfully completed the program...I completed the  
23 program and feel absolutely terrific.... The program would not be  
24 possible if it were not for you and people like you...You have made  
such a positive impact on my life, and I will be forever grateful.

25 **Ethan Suplee**, an actor who has been friends with Danny for three decades, wrote  
26 to highlight the work of Danny’s charity to assist injured firefighters on 9/11...

27 I know that Danny was extensively involved with helping firefighters  
28 who were ill or injured on 9/11 and invited me to several fundraisers  
for a charity he set up. Classic Danny, it was not enough to just attend

1 the event or give money, but actually hang out with these men from  
2 New York, that he now considered friends, and therefore they should  
3 be considered a friend by me. Another example he taught me about  
4 my responsibility as a person...

4 **James Woodworth** is a former Air Force medic who later ran a medically  
5 supervised detoxification program as a nonprofit in Sacramento that treated drug addicts  
6 with a focus on Gulf War veterans who had become ill after exposure to toxic smoke from  
7 the oil fires Saddam ordered during the war in Iraq. After 9/11, and knowing that first  
8 responders and other volunteers would become sick from toxic smoke and dust,  
9 Woodward says...

10 I started the New York Rescue Workers Detoxification Project. From  
11 September 2002 through December 17, 2009, we treated over 1,000  
12 New York City firefighters, police officers, active-duty military,  
13 ministers, Rabbi's, construction workers, lead and asbestos removal  
14 workers, survivors and volunteers who were very ill. "Restoring  
15 Quality of Life" was the stated purpose of our charity. More than 400  
16 NYC firefighters who wanted to return to work but were being forced  
17 to medically retire due to their 9/11 related lung damage were able  
18 to return to full duty and not retire. Without Danny's help this would  
19 never have been possible.

20 He explains that Danny and his castmates attended a 2003 fundraiser with more  
21 than 500 guests and...

22 ...helped raise nearly \$1,000,000 for firefighters. From that night on  
23 Danny and I became friends and I now consider him as part of my  
24 family. Danny Chaired or co-Chaired five fundraising events that  
25 raised nearly \$2,000,000 for the charity. He would spend weeks prior  
26 to each event making sure we could reach our fundraising targets.

27 Danny would take the time to personally meet, take photos and talk  
28 with every rescue worker and they really appreciated that he took the  
time to listen to their stories and talk with their family members.  
Rescue workers would often tell me, "He's so down to earth" and "he  
really cares". You cannot put a price on the hundreds of hours each  
year that Danny dedicated to the rescue workers and our charity.

### **Career, Reputation and Treatment of Actors and Crew**

29 **Debra Jo Rupp**, 72, an actor on "That '70s Show" who has known Danny since  
30 1998, writes...

31 Danny was the leader of the "kids" on our show. He had the most  
32 acting experience and was a little bit older. He was well liked and

1 very respected. One of the first things Danny did with them was to sit  
2 them all down (he had a little meeting) and had them all make a pact  
3 that no one would do drugs because of the nature of our show. The  
4 spotlight would be on them and he wanted everyone to succeed. I  
5 remember thinking that it was such a smart thing to do and something  
I never would have thought of. As a result, you never saw them in the  
tabloids. Danny made sure of that and I was so appreciative. They all  
kept their word.

6 Over the years Danny is one of the few that came to support me by  
7 seeing my shows in the theater. He brought his family sometimes.  
And it was a joy.

8 **Mila Kunis**, a well-known actress who worked closely with Danny on “That ‘70s  
9 Show”, states...

10 I first met Danny during our time working together on That 70’s  
11 Show, and from the very beginning, I could sense his innate goodness  
12 and genuine nature. Throughout our time together, Danny has proven  
13 to be an amazing friend, confidant, and, above all, an outstanding  
14 older brother figure to me. His caring nature and ability to offer  
guidance have been instrumental in my growth both personally and  
professionally.

15 One of the most remarkable aspects of Danny's character is his  
16 unwavering commitment to discouraging the use of drugs. His  
17 influence on me in this regard has been invaluable. In an industry  
18 where the pressures and temptations of substance use can be  
19 overwhelming, Danny played a pivotal role in guiding me away from  
20 such destructive paths. His dedication to avoiding all substances has  
21 inspired not only me but also countless others in our circle. Danny's  
steadfastness in promoting a drug-free lifestyle has been a guiding  
light in my journey through the entertainment world and has helped  
me prioritize my well-being and focus on making responsible choices.  
His genuine concern for those around him and his commitment to  
leading by example make him an outstanding role model and friend.

22 **Christopher Ashton Kutcher**, a prominent actor who worked on “That ‘70s  
23 Show” and “The Ranch” with Danny for many years, wrote to say...

24 Danny takes his job seriously. He is kind, courteous, and hard  
25 working. He treated everyone from the grips to the teamsters to the  
actors to the caterers as equals.

26 As a role model, Danny has consistently been an excellent one. I  
27 attribute not falling into the typical Hollywood life of drugs directly  
28 to Danny. Any time that we were to meet someone or interact with  
someone who was on drugs, or did drugs, he made it clear that that  
wouldn’t be a good person to be friends with. And for me, that was

1 an implication that if I were to do drugs, he wouldn't want to be  
2 friends with me, which is something I never would want to risk or  
3 jeopardize. I am grateful to him for that positive peer pressure. He  
4 also set an extraordinary standard around how you treat other people.  
5 There was an incident where we were at a pizza parlor and a  
6 belligerent man entered who was berating his girlfriend. We had  
7 never met or seen these people before, but Danny was the first person  
8 to jump to the defense of this girl. It was an incident he didn't have to  
9 get involved in but proactively chose to because the way this man was  
10 behaving was not right. He has always treated people with decency,  
11 equality, and generosity.

8 **Daniel Acuna**, small business owner who has known Danny for 20 years...

9 When I worked on That 70's Show, Danny was the big brother to  
10 everyone. He constantly warned his co-workers... and reminded me  
11 as a part of the group that we needed to all act like professionals and  
12 be good citizens. "If one of us gets in trouble, or gets caught in the  
13 spotlight for something negative, the whole cast and crew could  
14 suffer. Put the show first, and your coworkers first - make wise  
15 choices." Danny treated the staff and everyone on set as family.

13 **Chris Kantrowitz**, a tech-industry CEO and gaming entrepreneur who is Danny's  
14 longtime friend, wrote to say that...

15 Danny never placed himself above others during his professional  
16 career. Instead, he used his position to advocate for unity, treating  
17 everyone on set with equality, regardless of their roles. His ability to  
18 remember everyone's names and his constant concern for their well-  
19 being fostered an atmosphere of mutual respect and appreciation.

18 **Jim Patterson**, the writer and creator of "The Ranch" and a friend for nine years  
19 stated...

20 At work, Danny was always professional, courteous, and respectful  
21 to the entire cast and crew. He truly was everyone's friend. The kind  
22 of person who is funny, kind and always makes time for others no  
23 matter their level on the show. He worked hard and had a lot of  
24 responsibility, not only as a lead actor, but as an executive producer  
25 on the show, but the most important thing to Danny was that our  
26 crew/show become a family. Before the first show he pulled me aside  
27 and told me we are going to spend more time with these people than  
28 our own families in a lot of ways, and he said I want to make sure we  
have fun, that everyone on stage feels loved, feels important and feels  
heard.

27 If I had to encapsulate who Danny is to me based on a single moment  
28 it would be when I found out my father was diagnosed with dementia.  
I only told a couple of people because I wasn't sure how to deal with

1 it and I was in a pretty quiet / down mood the entire day at work.  
2 Danny found out from someone what I was going through, and he just  
3 came up to me and gave me a huge bear hug and told me he loved me,  
4 and if I needed anything at all, at any time, he was there for me. That  
5 is the Danny I know and love.

6 **Shawn Michael Piller**, a television producer, show runner and writer met Danny in  
7 1996 while producing a film...

8 [Danny] treated his cast and crew with the utmost respect, including  
9 teaching his castmates on That '70s Show how to handle their  
10 business affairs, avoid drugs and the pitfalls of fame, and how to  
11 behave professionally in the business of entertainment. He truly cares  
12 for people — always taking time to get to know people and ensure  
13 they're doing well, irrespective of their role, rank, or title. This can be  
14 a rare, but exceptional trait in the entertainment business. He led by  
15 example, pushed people to be their best, and inspired many.

16 Danny loves people and has never shied away from a fan wanting a  
17 photo. Not only would he take a photo or sign an autograph, but he  
18 would ask about them. He'd ask their name, where they're from, and  
19 how they are doing. He actually cared and took the time to wish them  
20 well.

21 **Kurtwood Smith**, an actor for 57 years, met Danny in 1998 on "That '70s Show"...

22 ...I consider Danny to be a good friend. Our friendship revolved  
23 around work.... Danny was the leader among his contemporaries in  
24 the cast. He was a tad older and much more experienced and he took  
25 that position seriously. During the 8 years we did the show, we never  
26 had the problems some other shows had with their younger cast  
27 members.

28 **David Trainer is a television director who worked with Danny on two series...**

Television can be a stressful business. I've seen Danny relaxed, and  
under pressure, and he is always calm, considerate, and concerned  
with the wellbeing of others. Actors can be demanding. He is the  
opposite. He is a hard-working, disciplined cast member who is  
always attentive to his fellow actors, the interests of the crew, the  
quality of the work environment, and the feelings of the people around  
him. People like him and respect him and look up to him. He has the  
natural authority of someone people trust.

"That '70s Show" featured scenes of carefree kids smoking pot. But  
in his personal life, Danny was always strictly opposed to drugs of  
any kind. The cast made a pledge to each other, which they keep  
faithfully, never to do drugs. Danny's personal opposition was central  
to that commitment. He is a man of upright values.

1 **Danny's brother Chris states...**

2 He has gotten jobs for more out-of-work people than anyone I have  
3 ever known. When someone tells him they can't find a job, he'll  
4 immediately ask a million questions, trying to assess their skills and  
5 unique talent until he has his lightbulb moment that inevitably brings  
6 him to an "ahh! I got it; you should work for such and such a company  
7 doing such and such a job. You would love working there. I know  
8 someone over there. I'm calling them right now to get you hired!"  
9 Anyone who has ever been on the set of a production Danny has been  
involved with, would have noticed no less than ten or so crew  
members who Danny got hired on from previous projects he'd worked  
on.

9 **Friendship**

10 **Daniel Acuna, longtime friend...**

11 My son was diagnosed with ADD, ADHD and was "on the spectrum"  
12 from a very young age. I will never forget Danny telling me, "Your  
13 son is a special kid. Don't take that away from him." He told me to  
14 look for more creative ways to get his attention. I took this to heart,  
15 we removed my son from his current school because of the large class  
16 size of 30 kids, and moved him to a smaller school that had class sizes  
17 of 6 kids. He went on to graduate Jr. High as a 4.0 student, and  
18 graduated high school with a GPA of 3.86. He was on the Dean's list  
at Moorpark Junior College and is now studying music at Vanguard  
University in Costa Mesa, where he has an academic and music  
scholarship. He is an incredible musician who writes, produces,  
engineers, plays five instruments and has perfect pitch - and he  
overcame his obstacles and stayed the special person he has always  
been. Danny changed my son's life.

19 **Bryan Price, a Certified Airframe and power-plant Mechanic, writes of the crucial**  
20 **role Danny played in his life...**

21 During a pivotal time in my life, Danny played a pivotal role as both  
22 a mentor and friend. When I was a student in trade school, diligently  
23 working towards obtaining my licenses, Danny extended a helping  
24 hand by offering me a position in his home to work alongside him 2-  
25 3 days a week. As a young husband and father facing the challenges  
26 of supporting my family while pursuing an education, Danny's  
assistance was invaluable. His advocacy within his professional  
network ensured that I had consistent employment, which  
significantly contributed to my successful completion of school.

27 **Nick Boyle, the head of real estate development for a multibillion-dollar investment**  
28 **firm in New York, has known Danny since 2004. He writes...**

1 In 2006 and 2007, I had been privately struggling with constant illness  
2 and fatigue. After seeing numerous doctors in London over an 18  
3 month period, there was still no diagnosis as to the cause. I was unable  
4 to stay awake for longer than 5 hours and was constantly suffering  
5 from viruses and infections caused by a weakened immune system. I  
6 was frustrated that we were continually treating the symptoms, but  
7 not the root cause of the issue. At the wedding of a mutual friend,  
8 Danny pulled me aside noticing that I wasn't my usual self and  
9 quizzed me. After confessing my health issues, Danny convinced me  
10 to fly to Los Angeles and see his Doctor who quickly diagnosed me  
11 with Haemochromatosis and Chronic Fatigue Syndrome, the first  
12 causing the latter. Haemochromatosis is a lifelong hereditary disease  
13 where your body overproduces iron and can cause organ and joint  
14 damage, potentially shortening your life. I remained in Los Angeles  
15 for 3 weeks for treatment and Danny put me up in his guest room  
16 during that time, helped me with the cost of treatment, and drove me  
17 to the early treatments until my strength had returned. ... Had he not  
18 helped me with that treatment, who knows how much longer I would  
19 have suffered from the effects of Chronic Fatigue Syndrome?  
20 Haemochromatosis is very manageable once you know you have it,  
21 but when the iron has thickened your blood as much as mine was back  
22 then, it is debilitating.

23 **Lyn Ribisi**, professor of Women's History at Glendale College...

24 Our families moved to Los Angeles at about the same time, and our  
25 kids were close in age. We had Danny over to our house many times  
26 for parties and various get-togethers. He was always kind,  
27 considerate, and very helpful. We always counted on him to include  
28 everyone in the activities, and he often went out of his way to make  
others feel at ease, important, and welcomed. I have never known  
Danny to be anything but of sterling character. In all these years, I  
have never seen him disrespect women, nor have I seen him even  
make a crude joke of a sexual nature.

29 **Marissa Ribisi** and Danny were childhood friends who stayed in contact...

30 Throughout the years I have remained good friends with Danny. We  
31 even dated for a brief stint in the late 90s, and he was nothing but  
32 kind, such a gentleman, always paid for our meals together, always  
33 made sure I was okay. He was happy and warm and fun, and had  
34 excellent manners with me. He even escorted me to a dance camp,  
35 knowing I really wanted to go, and spent 3 days with me swing  
36 dancing so I could improve my skill. I'm sure this was not something  
37 he would have died to go to, but he went knowing I really wanted to  
38 go.

39 Danny has a huge group of loyal friends who love him dearly and I  
40 understand why. I have only seen him help his friends, one friend he

1 lent money to buy their first home, another guy who fell on hard times,  
2 he hosted art shows, threw my friend a wedding, threw birthday  
3 parties for us, etc. Overall, if someone in our friend group needed  
help, they would always go to Danny. It's why he is so loved.

#### 4 **Other Acts of Kindness and Generosity**

5 **Erica Krusen**, LMFT, is a Licensed Therapist and friend of Danny's for 15 years.  
6 She highlights Danny's involvement and contribution to fundraisers she ran for  
7 MusicCares...

8 Having worked in the nonprofit sector for the last 20 years, I have  
9 witnessed [Danny's] willingness to give back to the underserved and  
10 disadvantaged. As an avid music fan, Danny often participated in  
11 fundraisers over the last 15 years that I would hold for MusiCares (a  
12 safety net of resources for the music community) and the GRAMMY  
Foundation (music education), and took a real interest in how we  
helped serve those in need. This is not only a reflection of his  
compassionate nature, but also a testament to his understanding of the  
privilege he holds.

13 **Nick Boyle**, who has known Danny since 2004, writes...

14 The first 4-5 years after I met him, and in the height of his fame,  
15 Danny hosted a Jazz club in Los Angeles with a Jazz band on Sunday  
16 nights. He invited young musicians and successful famous musicians  
17 to jam together at a lounge packed with 400 people. He loved that the  
18 young musicians got to interact with their idols and he passed on  
every dollar that was made on those nights to the band and young  
guests. He did it because he loved bringing people together and seeing  
their careers grow.

#### 19 **Family and Neighbors in Santa Ynez**

20 **Martha Levitan**, an 80-year-old retired teacher and Danny's maternal aunt states...

21 When our first grandson was critically ill at birth Danny traveled from  
22 California to Long Island to support us during a horrific time. ... He  
23 left his family and his California obligations to be with my daughter  
and son-in-law when they needed support.

24 **Barbara Shenstone**, a small business owner who knows Danny from Santa Ynez  
25 where their daughters are close friends, states...

26 Our children are ... together so much they have a toothbrush, clothes,  
27 pajamas at each other's houses. Danny has always been a very  
engaged and responsible father, doing homework, reading books,  
28 making sure they mind their manners. He would always get them  
ready for bed, read stories to them before bed, take them on outings,

1 teach them things around the farm, play with them, swim with them.  
2 He is always so kind, patient and generous with our family treating  
3 our daughter like his own.

4 After this life changing event I continue to spend a lot of time with  
5 Danny's daughter. I have noticed quite a change in her. She misses  
6 her daddy beyond what words could say. This little girl is so smart,  
7 polite, kind, and courageous. She is very pensive now and thinks a  
8 lot. ... this has created this huge void in this little girl's life.

9 **Will Masterson, Danny's brother, recalls...**

10 In 2009 I graduated from the University of Southern California with  
11 a B.A. in Economics. Danny was the only one of my siblings to sit  
12 through the entire graduation ceremony in the scalding hot sun. He  
13 didn't make it a secret how proud of me he was, as he'll tell almost  
14 everyone I'm introduced to that I'm his brother who went to college.

15 **Ryan Smith** has been a law enforcement officer for two decades. As a neighbor  
16 and a friend, he says of Danny...

17 I have never once seen Daniel act in a negative, violent or  
18 inappropriate manner. To the contrary, Daniel has always been a  
19 gentleman, and a loving and caring individual.

20 Daniel has lived a life of helping others. I have personally witnessed  
21 Daniel help elderly neighbors with arduous tasks. One such  
22 occurrence was when a large oak tree fell on a neighbor's property.  
23 Daniel rallied several neighbors to grab their tools and saws, and led  
24 the group to help. This may seem minor or irrelevant but it speaks to  
25 his overall character. He is always willing to help, unsolicited. He  
26 treats friends and strangers alike with respect and dignity.

27 **MEDICAL**

28 Danny suffers from chronic rhinitis and allergic urticaria (hives), a serious allergic  
reaction that involves significant swelling in his mouth and face and hives on his arms,  
according to Dr. Yoshi Rahm, in a 2/4/22 medical record. The remedy is Prednisone,  
which makes these effects slowly dissipate. If symptoms return, the "patient agreed to go  
immediately to ER or call 911, should allergic symptoms start up at all." (Medical report  
attached.)

**CONSEQUENCES / CONCLUDING REMARKS**

Despite a serious conviction over events from the early aughts, Danny has  
continued to prove over the last 20 years to be a dedicated philanthropist who has used his

1 energy, celebrity, and resources for the common good. Letters from 9/11 first responders,  
2 including law enforcement officers and firefighters, detail his enduring commitment and  
3 the impact of his efforts for them, and many colleagues and people in the community.

4 As a result of the conviction, he has lost his acting career, income and reputation,  
5 and undermined the reputations and business prospects of his actor-siblings and his  
6 manager mother. In a sense, serious punishment has already begun.

7 His ailing wife and young daughter are collateral damage in that they no longer  
8 have the person in their life who has cared for them in extreme circumstances, and his  
9 efforts to build up a new business to help support them appears destined for collapse  
10 without his presence.

11 As Danny's younger sister Alanna explains...

12 The most important thing about my brother Danny, is his relationship  
13 with his 9 year old daughter. They are best friends. He does  
14 everything with her and for her. Homework, story time, dance class,  
15 mini golf, baking, brushing and braiding her hair so her curls don't  
16 get into knots. They have ballet recitals in the living room, and ice-  
skating duets at the rink. They go and see movies every Saturday and  
go on long adventures together. She'd be lost without him, we all  
would be. He's our family's true North Star; for so many friends and  
loved ones.

17 The most important thing about my brother Danny, is his relationship with his 9  
18 year old daughter. They are best friends. He does everything with her and for her.  
19 Homework, story time, dance class, mini golf, baking, brushing and braiding her hair so  
20 her curls don't get into knots. They have ballet recitals in the living room, and ice-skating  
21 duets at the rink. They go and see movies every Saturday and go on long adventures  
22 together. She'd be lost without him, we all would be. He's our family's true North Star; for  
23 so many friends and loved ones.

24 Ryan Smith, who has worked in law enforcement for two decades, is very familiar  
25 with the criminal justice system and, as Danny's neighbor and friend, has gotten to know  
26 him well since Danny moved to Santa Ynez. He states...

27 Punishment and rehabilitation are the core principles of our penal  
28 system. I understand that punishment must be imposed. I ask that you  
consider his young age twenty years ago, relating to the conduct for  
which he was convicted. Since that time, Daniel has led a positive and

1 productive life with zero negative interactions with the criminal  
2 justice system. I believe it is possible to achieve the purpose of  
3 punishment, and also allow Daniel's daughter and wife a chance at  
life with him outside of a penitentiary once the sentence is fulfilled.

4 **C. Under the Relevant Version of Section 667.61, the Court Must Sentence Masterson**  
5 **to One Term of 15 Years to Life.**

6 In the relevant version of section 667.61, there was no requirement that consecutive  
7 sentences be served for convictions involving separate victims.

8 Whether sentencing is viewed under the “double-counting” doctrine, or the  
9 prohibited “dual use of facts” analysis, the result is the same: Masterson should be subject  
10 to just one term of imprisonment of 15 years to life.

11 **“Double counting”** the same facts under the “circumstances of the crime” factor as  
12 both a circumstance of the crime and as a separate and distinct matter in aggravation of the  
13 penalty is prohibited. (*People v. McKinnon* (2011) 52 Cal.4<sup>th</sup> 610.) Here, of course, the  
14 multiple victim allegation is the very same fact used to invoke the “One Strike” provisions  
of the Penal Code and thus cannot be used once again to double defendant’s sentence.

15 So too, **“Dual Use”** prohibits use of a fact that is an element of the crime to impose  
16 a greater term. (C.R.C., Rule 4.420(d).) For example, if minority is an element of the  
17 crime, the sentencing court may not use the victim's age as an aggravating factor to impose  
18 the upper term. (See *People v. Flores* (1981) 115 Cal.App.3d 924, 926 [oral copulation  
19 with minor]; *People v. Parrott* (1986) 179 C.A.3d 1119, 1124 [using minor to sell  
20 marijuana or providing marijuana to minor]; *People v. Quinones* (1988) 202 C.A.3d 1154,  
21 1159 [molesting child under age 14]; *People v. Piceno* (1987) 195 C.A.3d 1353,  
22 1357 [great bodily harm may not be used to aggravate sentence for manslaughter].) Here,  
23 the **fact** that defendant was charged and convicted under the “One Strike” law by virtue of  
24 being convicted as to multiple victims cannot **also** be used to impose more than the one  
enhanced punishment under that law of 15 years to life.

25 **D. The Facts and Law Support the Imposition of Concurrent Sentences**

26 Per California Rules of Court, rule 4.425, factors affecting the decision to impose  
27 consecutive rather than concurrent sentences include:

28 Facts relating to the crimes, including whether or not

- 1 • The crimes and their objectives were predominantly independent of each
- 2 other;
- 3 • The crimes involved separate acts of violence or threats or violence; or
- 4 • The crimes were committed at different times or separate places, rather than
- 5 being committed so closely in time and place as to indicate a single period of
- 6 aberrant behavior.

7 Other facts and limitation, including:

- 8 • Any other circumstances in aggravation or mitigation except: (1) a fact used
- 9 to impose the upper term; (2) a fact used to otherwise enhance the
- 10 defendant's prison sentence; and (3) a fact that is an element of the crime
- 11 may not be used to impose consecutive sentences.

12 Both the facts relating to the charges for which Masterson was convicted and other

13 circumstances in mitigation support concurrent sentences.

14 The two counts on which Masterson was convicted occurred within six to eight

15 months of each other. During the time of the behavior in the convicted counts, Masterson

16 was in his mid-twenties. Twenty years have passed since the dates of the convicted counts.

17 Comparing the passage of twenty years to an at most eight month period of time indicates

18 that the behavior for which Masterson was convicted evidences a brief period of aberrant

19 behavior. This is further supported by the words of Masterson's friends, family and

20 colleagues submitted along with this memorandum.

21 Other mitigation factors include the strong family and community ties that

22 Masterson has developed over the past 20 years and his history of community-minded

23 conduct. The imposition of concurrent sentences is further supported by the enumerated

24 general objectives in sentencing set forth in California Rules of Court ("CRC") Rule 4.410.

25 Rule 4.410(a)(1) – "Protecting society." Even if the terms are served concurrently,

26 Masterson is facing a life sentence with the possibility of parole after fifteen years. That

27 significant amount of time is certainly more than adequate for the protection of society.

28 Masterson has no criminal history from either before or after the time period of the

conduct for which he was charged. Society being adequately protected is further supported

by the fact that Masterson has not proven a threat to society in the twenty years following

1 the time of the charges for which he was convicted. Masterson is currently 47 years-old  
2 and will be 62 years-old at the time of eligibility for parole. As discussed in more detail  
3 below, there is virtually no chance of recidivism for individuals over 60 years of age.

4 Rule 4.410(a)(2) – “Punishing the defendant.” A life sentence with the possibility  
5 of parole after fifteen years is a severe punishment for Masterson. Masterson is 47 years  
6 old and has a young daughter. Masterson will miss his daughter’s formative years and will  
7 not be released until she is at least in her mid-20s. Masterson’s wife is also facing ongoing  
8 medical issues. If consecutive sentences are imposed, Masterson will be eligible for parole  
9 at the age of 77. The current life expectancy for males in the United States according to the  
10 CDC is 73.5 years, meaning that Masterson will essentially be receiving a life sentence.

11 Rules 4.410(a)(3) and 4.410(a)(5) – “Deterrence from future offenses.” The most  
12 reliable predictor of recidivism is age. Nationally, prisoners between the ages of 18 and 29  
13 experience a recidivism rate of over 50%, while those 55 or older recidivate at a rate of  
14 only 2%. *See*, Timothy Hughes, et al., *Trends in State Parole, 1999-2000*, Bureau Just.  
15 St. Special Rep. (Oct. 2001). Other studies have indicated that there is virtually no  
16 recidivism for individuals age 60 or older. *See, e.g.*, Kyung Yon Jhi & Hee-Jong Joo,  
17 *Predictors of Recidivism Across Major Age Groups of Parolees in Texas*, Just. Pol’y J.,  
(Spring 2009). Therefore, statistically, Masterson has virtually no chance of recidivism.

18 In addition, recidivism appears to have been a major impetus for the 2006 change  
19 to Penal Code Section 667.61, which now requires consecutive sentences. That amendment  
20 was part of the 2006 California Proposition 83, also called the Sexual Predator Punishment  
21 and Control Act. That initiative set forth eleven findings and declarations and revised  
22 numerous Penal Code and Welfare and Institutions Code sections. A majority dealt with  
23 changes relating to the internet, such as access to child pornography and the ability to  
24 monitor the locations of sex offenders. The only findings and declarations relevant here  
25 include a declaration that “(a) The State of California currently places a high priority on  
26 maintaining public safety through a highly skilled and trained law enforcement as well as  
27 laws that deter and punish criminal behavior” And “(b) Sex offenders have very high  
28 recidivism rates.” PROPOSITION—THE SEXUAL PREDATOR PUNISHMENT AND  
CONTROL ACT, 2006 Cal. Legis. Serv. Prop. 83, Section 2. Because Masterson

1 statistically has almost no likelihood of recidivism, the motivations for requiring  
2 concurrent sentences do not apply to him.

3 Rule 4.410(a)(4) – “Deterring others.” A mandatory state prison sentence of  
4 fifteen years to life has a significant deterrent impact on any behavior. Research to date  
5 generally indicates that increases in the *certainty* of punishments, as opposed to the  
6 *severity* of punishment, are more likely to produce deterrent benefits. *See*, Valerie Wright,  
7 Phd., The Sentencing Project, “Deterrence in Criminal Justice: Evaluating Certainty vs.  
8 Severity of Punishment” (November 2010). The problem with the government’s  
9 deterrence ideology and “get tough” rhetoric is that it assumes that human beings are  
10 rational actors who weigh the risks and benefits prior to engaging in crime; however, this  
11 is not the case. *Id.* at 2. Indeed, it is just the opposite. The bulk of research on the  
12 deterrent effects of harsher sentences reveals that “there is little or no consistent evidence  
13 that harsher sanctions reduce crimes rates in Western populations.” *See*, Anthony Doob  
14 and Cheryl Webster, “Sentence Severity and Crime: Accepting the Null Hypotheses,”  
15 *Crime and Justice*, 30:143-195 (2003); Andrew von Hirsch, Anthony Bottoms, Elizabeth  
16 Burney and P-O. Wikstrom, “Criminal Deterrence and Sentence Severity: An Analysis of  
Recent Research,” Oxford: Hart Publishing (1999).

17 **D. Credits**

18 Although eliminated by the 2006 amendment, under subdivision (j) of former  
19 section 667.61, applicable here, Masterson is entitled to 15 percent conduct credits. *See*  
20 Penal Code Section 667.61(j)(2003)(“In no case shall any person who is punished under  
21 this section be released on parole prior to serving at least 85 percent of the minimum term  
of 25 or 15 years in the state prison.”)

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IV.  
CONCLUSION

For the reasons stated above, the Court should order that Masterson serve his sentences concurrently.

Dated: September 5, 2023

Respectfully Submitted,  
PHILIP KENT COHEN, APC.

*/S/ Philip Cohen*

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Philip Cohen, Esq.  
Attorneys for Daniel Masterson

Respectfully Submitted,  
KINSELLA HOLLEY ISER KUMP  
STEINSAPIR LLP

*/S/ Shawn Holley*

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Shawn Holley, Esq.  
Attorneys for Defendant Masterson



July 31, 2023

Dear Judge Olmedo,

My name is Daniel Acuna, I am a longtime friend of Danny Masterson, having known him for 20 years. I am sadly aware that he was convicted by a jury of 2 counts of rape by force and is facing a 30-year sentence. This is not the Danny I know.

I have lived in the San Fernando Valley my entire life. My wife and I currently own and operate 21 Jersey Mike's Subs restaurants called JM Valley Group, where we have donated over \$600,000 to local charities in 10 years, sat on the National Advisory Council for Jersey Mike's, and received a Citizen's Award from councilman John Lee for our involvement with "Lunches with Love" give back program. We have 300+ employees and have made owners out of 3 of our team members who started with us as crew members and are now full-fledged partners in multiple stores. I started my career in entertainment working as Wilmer Valderrama's personal assistant on That 70's Show in 2003, on which he was a primary character/actor alongside Danny Masterson. My wife and I Partnership Members at Rocky Peak Church in Simi Valley.

In the 20 years that I have known Danny, he has been the most consistent, steadfast, and loyal friend that I know. He has strong convictions and does not waiver on them. He has been a friend, big brother, mentor, advocate, and leader to me for as long as I have known him – treating me and others the same as he treats everyone, with class, kindness and authenticity. As a "lowly" assistant, he would welcome me into his dressing room, introduce me to his friends and family, have me over at his house, attend my birthday parties and treat me like someone who cared about me at the age of 21.

Danny is a leader who I've constantly gone to for advice. He has made a significant and immeasurable impact on my life that has also benefitted my family. I would not be who I am today without Danny.

When I worked on That 70's Show, Danny was the big brother to everyone. He constantly warned his co-workers, like Wilmer, and reminded me as a part of the group that we needed to all act like professionals and be good citizens. "If one of us gets in trouble, or gets caught in the spotlight for something negative, the whole cast and crew could suffer. Put the show first, and your coworkers first – make wise choices." Danny treated the staff and everyone on set as family. He would host craps and poker Friday nights after tapings for everyone to play, he made us all feel welcome. Wilmer had a tendency to spend too much money, and "throw it away" on big dinners, nightclubs, alcohol, travel and friends. Danny would encourage Wilmer to be more frugal and save for the future – when Wilmer continued his spending ways, Danny told me: "Look out for him. I know he likes to pick up the tab for all of his friends, but ask everyone to throw in 20 bucks. Those small things will make the rest of his friends realize it's not always a free ride and they need to chip in. If Wilmer continues down this path, he will be broke by 30." He was always looking out for all of us.

One of the most important things Danny did for me personally was having deep, long and open conversations about my son – who was born when I was 19 years old. My son was diagnosed with ADD, ADHD and was "on the spectrum" from a very young age. I will never forget Danny telling me, "Your son is a special kid. Don't take that away from him." He told me to look for more creative ways to get his attention. I took this to heart, we removed my son from his current school because of the large class size of 30 kids, and moved him to a smaller school that had class sizes of 6 kids. He went on to graduate Jr. High as a 4.0 student, and graduated high school with a GPA of 3.86. He was on the Dean's list at Moorpark Junior College and is now studying music at Vanguard University in Costa Mesa, where he has an academic and music scholarship. He is an incredible musician who writes, produces, engineers, plays five instruments and has perfect pitch – and he overcame his obstacles and stayed the special person he has always been. Danny changed my son's life.

Danny has also been one of the most positive influences on me in my relationship with my wife Bethany, who is the mother to my 19 year-old son, and we now have two other children. When I met Danny in 2003, we were thinking about getting married, but didn't make that choice until 2012, and we broke up for two years along

the way. Danny was adamant and direct with me during my dating relationship that I needed to be a man of integrity & always 100% honest with my girlfriend, fiancée or wife.

When I was 25, I took Bethany on a trip to NYC where I found the Hotels to be very expensive. Danny let me stay in his apartment for free. When I was 27 and went to France for Cannes Film Festival for work and had a really bad hotel, he offered for me to come stay with him at a house he rented with friends. When my oldest son who is now 21 comes back from school on break, we go visit and stay with Danny at his house in Santa Ynez. Danny clears his schedule, takes us to his favorite wineries, has us help him cut grapes in his vineyard, takes us to his favorite restaurant, and treats us like family.

Danny has been one of the best fathers I have ever met by far. He encourages his daughter to read, have and learn how to care for animals, and pursue good things. He's proud of how smart she is. When I'm visiting and we go to dinner, he brings her with him. He is an intentional father, unwavering, he is not a lazy parent or husband, he is an example to us all.

I love Danny, and he will continue to be one of my life mentors and someone I look to for answers and advice. He will always give me the real and right responses, even if they're hard or not what I want to hear. He encourages me in my business, marital relationship, and as a father to be my best and to prioritize what's most important.

Thank you for taking the time to read this.

- Daniel Acuna

Jersey Mike's Subs Franchisee



A handwritten signature in cursive script, appearing to read 'Daniel Acuna', is located below the typed name. The signature is written in black ink on a white background.

Deadline

July 24, 2023

Honorable Judge Olmedo,

My name is Theresa Ashton, and I am a personal friend of Danny Masterson who I have known since 2006. For the past 30+ years I have worked for the two largest law enforcement union as the executive Assistant to the President's of each of these unions. My most important role in my opinion has been my work to support NY Police Widows and Childrens fund for fallen officers who sacrificed their lives in the line of duty. While doing that work and helping to raise funds for other charity work for the victims of 9/11, I had the honor and pleasure of meeting Danny. I met Danny at a fundraiser after I was seated at his table, and I honestly had no idea who he was. We talked all night and really hit it off and became very close as friends. We have always kept in touch by texting, phone calls, and whenever I would visit Los Angeles, we would have dinner and when he comes to New York City we would meet. After his daughter was born, I was so happy, and he was so excited to introduce me to her that he came to my office with her one day.

Danny is not only a great person, father, and husband, he is one of my most trusted and great friends. Whenever I needed something, I could call and ask him for anything, and he would do it, no questions asked. Yes, Danny did a lot for the members of the police department and all 9/11 rescue workers and victims of that tragic day. He helped raise millions of dollars so that rescue workers could receive free medical care for a decade. For all of his charitable efforts and hard work, the NYC SBA nominated Danny for the prestigious "Ellis Island Medal of Honor" which he was awarded in 2013. Danny also was awarded the SBA "Heroes" at the SBA Heroism Dinner for all that he had done in NYC for the rescue and recovery workers after 911.

It is my pleasure to call Danny my friend. He has always shown a passion to help others expecting nothing in return. After 9/11, the people of NYC were in pain and suffering, Danny was there for the people of NYC in a way that very few others were. He brought thousands of smiles to all those that met him and more importantly he brought them real help. He has been a trustworthy, honest, kind, and reliable friend to me, my family, and the Heroes of 9/11. I love Danny and would do anything for him.

Sincerely,



Theresa Ashton

August 3, 2023

Dear Honorable Judge Olmedo,

I am writing to you in reference to Daniel P. Masterson. Danny has been a neighbor and friend for many years now. We live in a rural community where our neighbors are typically our closer friends. They are the people that we typically know best, trust, and rely on in times of need.

Inevitably, we have water lines break, farm animals get lose, fences break, trees go down, pastures need mowing and other assorted problems that need fixing. Our neighbors are there for each other and Danny is no exception. He has always been either the first to raise his hand or eager to jump in and help. He has always given without any expectations. That's just who he is.

We have also spent many hours at family dinners and other get togethers where we have talked about our families and life in general. I have gotten to know Danny as a devoted father to his beautiful little girl and dutiful husband to his lovely wife. Our five adult children have all gotten to know and love Danny and his family.

On weekends, it wouldn't be unusual to bump into Danny shopping at our little hardware store while holding his daughter's hand. Late in the afternoons, we'd see Danny taking his wife for a walk to help in her physical rehabilitation after all the health issues and surgeries she has endured. This is what kind of person we have known Danny to be.

I knew Danny previously acted in television shows, but didn't know much about that side of his life as we really were involved with our families, our current everyday life issues and events. He never behaved like a "Hollywood celebrity". He has always been one of us.

I can honestly say that my wife and I have only ever known Danny to be one of the kindest and gentlest people we have ever met. He has always been there to lend a hand, host us at his house, be a good neighbor and friend. I am proud to call Danny a close friend, neighbor and confidant.

While I am devastated in losing the day-to-day relationship with Danny, I respect our legal system and the verdict that has been rendered. I also understand you now have the task of sentencing Danny. I simply wanted to write this letter to you to provide a perspective on Danny as a person that I am sure was very different from how he was betrayed during the trials.

Thank you for taking the time to read my letter. I ask you take our experiences and time with Danny into consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Atkinson". The signature is fluid and cursive, with the first name being more prominent.

Chris Atkinson

August 3, 2023

Dear Honorable Judge Olmedo,

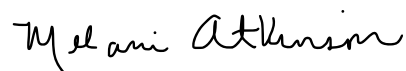
My name is Melani Atkinson and I am writing to you about my friend and neighbor, Daniel P. Masterson, in an attempt to humbly ask that you try to understand the kind of man that we know as Danny. My husband and I moved into our neighborhood about the same time as Danny and his family. From the get go, Danny and his wife Bijou were humble, sincere, generous and loving. They have always been an "open book", and never acted fake or better than anyone else. They treated us like normal people, and that is what they got in return. They welcomed us, our family, friends and neighbors into their home, and we shared many meals and fond memories over the years.

Danny is quiet, kind, and courteous. He goes out of his way to help people and animals in need. In 2020 I had 4 back surgeries and my husband still worked in LA a few days a week. Danny helped me navigate through emergencies at my home when no one else was available. He always greeted me with a big smile and a positive attitude. To leave our neighborhood, I must drive past Danny and Bijou's house. He would stop working and come to my car window genuinely interested in how me, my husband, and our 5 children were doing. He took the time to remember their names, where they lived, the jobs they had, and even who they were dating.

Danny and his wife have a beautiful 9 year old daughter, who means the world to all of us. She has a very strong bond with her dad, and he is the apple of *her* eye. I can picture Danny pushing her on the swing, putting her on his shoulders, and kneeling to talk to her when she was little. She is smart, engaging, and loves horses. She has grown up quickly and has had to deal with much uncertainty and loss in her life the last couple years. Her mother has had a very tough life, has suffered loss in so many ways, and copes with serious health conditions.

I admittedly have not read much about the two trials, because it was too difficult to hear what was said about the cases in general, by both parties. I do not discount the basis of the trials, and the seriousness of the allegations. I respect our justice system and your difficult position as the presiding judge. As the sentencing approaches, I respectfully and humbly ask that you consider the person that we only know as a good man with a big heart, a super dedicated father, a loyal and faithful husband, and a friend that we miss terribly every day.

Respectfully Yours,



Melani Atkinson

## William Baldwin

August 3, 2023

Honorable Judge Olmedo,

My name is William Baldwin. I have been with my wife Chynna Phillips for thirty-two years. Chynna is Bijou Masterson's sister. I have known my sister-in-law Bijou since she was only ten years old and, in many ways, I am a father figure to her.

I first met Danny Masterson in 2004 when he started dating Bijou. We have a lot in common. We are both Irishmen from Long Island, both actors and producers in the entertainment industry, and both married to the amazing Phillips sisters.

I know that Danny has been convicted of a very serious crime and is facing a lengthy prison sentence. The purpose of this letter is to inform you about the Danny Masterson that I know. Danny the man, the friend, colleague, family member, husband, and father. Things that were not discussed in court but I think are vitally important for you to know.

As I mentioned previously, I am a father figure to Bijou. There is no question that Danny functions in a similar capacity in his family with all of his siblings... Will, Christopher, and especially Jordan and Alanna. He is looked up to, admired, revered and respected. This is because of the enormous role Danny has played in the lives of his younger siblings. When only a teenager himself, he helped his single mother with the immense responsibilities of raising their family and he continues to serve in that capacity to this day.

Additionally, as I've also referenced, I have worked in the entertainment industry for 35 years and I can say unequivocally that I have never known anyone that is more beloved than Danny Masterson. I have worked on hundreds of projects with some of the most gifted artists, many experienced, well-informed activists, and extraordinarily generous philanthropists. Never in my entire life have I had more people refer to someone as "family", "my brother" and "best friend" than Danny. Many of them have told me that he was there for them in their "greatest hour of need" and "the darkest hour of their life".

When my son was diagnosed with Stage 4 cancer. When Bijou required a life-saving kidney transplant, when friends have had marital problems, financial struggles, addiction issues... Danny was there. "Danny got me a job." "Danny helped me get my health insurance back." "Danny let me crash at his house while I was going through a tough time." "Danny helped pay my bills and feed my children."

Danny has always quietly been there for his family, friends, community, and even strangers with

support, words of wisdom, or sage advice about life, career, relationships, and, most importantly, family and parenting. All of it without seeking any recognition or praise.

I know you witnessed firsthand the unwavering support Danny received from his family and friends during his trial. Nothing is more important to him than family. His dad Pete, his mom Carol, all of his siblings, and, of course, his wife Bijou, and wonderful nine-year-old daughter.

Since he has been incarcerated, I have heard him on the phone with his daughter helping her with her math homework while she tries to navigate through this devastating life-changing event at only nine years old.

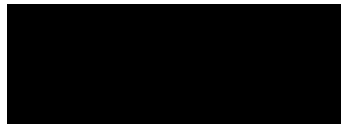
I have truly never met a person that was a more caring, dedicated, trustworthy, and loyal family member and friend.

I pray to God that you will consider the entirety of who Danny is when considering his sentence.

Respectfully,

A handwritten signature in black ink that reads "William Baldwin". The signature is written in a cursive, flowing style.

William Baldwin



Deadline

## OFF THE GRID ENTERTAINMENT

The Honorable Judge Olmedo,

My name is Eric Balfour. I am the founder of Off The Grid Entertainment, a Los Angeles based production company. I have known Danny for almost thirty years. We met as teenagers when we were both working as actors on the same project and our families have been close friends ever since. I was drawn to Danny because of his integrity and sincerity. Danny was always kind and respectful on set and to anyone he came in contact with. He was always the first to protect and defend someone weaker than himself or someone who was be bullied in any way.

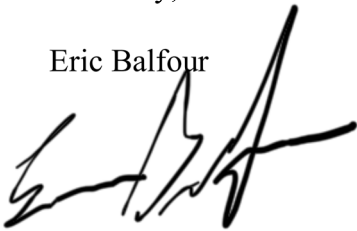
In the many years of knowing Danny I have only ever seen him to be a kind, compassionate, and a caring person especially to his daughter and wife who loves beyond measure. Danny is an incredibly loving and present father, an honorable husband, and ethical provider.

There are countless instances of Danny's kindness and empathy that I have seen over the course of our friendship. I have seen Danny go above and beyond to help someone in need even myself. There was never a time when if I was facing a challenging decision or gotten my heart broken when Danny wouldn't rush to meet me, and sit, and listen, and offer an empathetic word of advise to ease my pain. This is truly the core of the person that I know.

Thank you for taking the time to read and consider this as you make this decision that will affect so many people's lives.

Sincerely,

Eric Balfour

A handwritten signature in black ink, appearing to read 'Eric Balfour', with a large, stylized flourish extending from the end of the name.



## NICHOLAS J. BOYLE

August 6, 2023

Honorable Judge Olmedo  
California Superior Court

**RE: DANNY MASTERSON**

Dear Judge Olmedo,

My name is Nick Boyle, and I am Head of Real Estate Development for a multibillion-dollar investment company in New York City. I met Danny Masterson in 2004 when I was a 24 year old personal assistant in London, and we have been friends ever since. I am not a Scientologist, nor have I ever been.

It is uncomfortable for me to write this letter around such a sensitive topic. But it would have been even more uncomfortable for me not to write in support of the person who, looking back, has been one of my most supportive and pivotal friendships. Danny was there as a friend for me in some of the toughest times in my life. It is hard for me to reconcile what has been said about him in the press in the past year with the person I have known incredibly well for nearly 20 years.

Over those 20 years, I have stayed with and lived with Danny for months at a time. I travelled with Danny, travelled with Danny and friends, and both stayed and travelled with Danny, Bijou and their wonderful daughter. I know him as well as anyone. Danny was always the same person with his friends, family, in public and one-on-one.

In 2006 and 2007, I had been privately struggling with constant illness and fatigue. After seeing numerous doctors in London over an 18 month period, there was still no diagnosis as to the cause. I was unable to stay awake for longer than 5 hours and was constantly suffering from viruses and infections caused by a weakened immune system. I was frustrated that we were continually treating the symptoms, but not the root cause of the issue. At the wedding of a mutual friend, Danny pulled me aside noticing that I wasn't my usual self and quizzed me. After confessing my health issues, Danny convinced me to fly to Los Angeles and see his Doctor who quickly diagnosed me with Haemochromatosis and Chronic Fatigue Syndrome, the first causing the latter. Haemochromatosis is a lifelong hereditary disease where your body overproduces iron and can cause organ and joint damage, potentially shortening your life. I remained in Los Angeles for 3 weeks for treatment and Danny put me up in his guest room during that time, helped me with the cost of treatment, and drove me to the early treatments until my strength had returned. I returned to London feeling like a new man and remain forever grateful to Danny for it. Had he not helped me with that treatment, who knows how much longer I would have suffered from the effects of Chronic Fatigue Syndrome. Haemochromatosis is very manageable once you know you have it, but when the iron has thickened your blood as much as mine was back then, it is debilitating.

This example shows how caring and supportive that Danny is as a friend, and it is a script that I have seen play out over-and-over throughout the years to so many people that Danny's has been so generous with his time, with his compassion and his counsel. I have always been in awe of how people have been naturally drawn to Danny, and he has been a north-star for so many in an extended family and friend group. I've watched him countless times give time to people who have asked for his advice. I even remember Danny and me getting up early one Sunday morning in 2005 to drive to a young artist's studio in downtown LA because the artist had asked him to see their work and give them advice on where to exhibit it. I've also watched Danny lecture friends who had cheated on their girlfriend or boyfriend, or done drugs, or something immoral, or even if they were simply rude to a waitress. I have only ever seen Danny treat everyone with respect, and those around him were expected to treat others with respect as well. I've always admired how he sets the tone and led by example.

Danny would try to help people achieve success and would share in his. The first 4-5 years after I met him, and in the height of his fame, Danny hosted a Jazz club in Los Angeles with a Jazz band on Sunday nights. He invited young musicians and successful famous musicians to jam together to a lounge packed with 400 people. He loved that the young musicians got to interact with their idols and he passed on every dollar that was made those night to the band and young guests. He did it because he loved bringing people together and seeing their careers grow.

These last 9 years, I have watched Danny blossom into a father, and have stayed at the family home with Danny, Bijou and their young daughter many times. We have also shared a vacation rental home 5-6 times for 10-14 days in Lake George, in upstate New York, where Bijou grew up, and in a twist of fate, where I was a camp counselor. I have only ever seen Danny display patience, care and support to his daughter. They would often facetime me together on car rides and Danny would never lose patience with her.

This is the Danny I know, and the only Danny I've ever seen over those 20 years.

While I understand the nature of the crimes that Danny has been convicted of dating from 2001-3, I hope that I have been able to provide some insight to the person that Danny is today, and has been since we met in 2004.

Yours sincerely,



Nick Boyle

# Owen Elliot-Kugell



July 25,2023

To The Honorable Judge Olmedo,

My name is Owen Elliot- Kugell. I am writing to you today regarding my friend, Danny Masterson. I know Danny has been convicted of two counts of forcible rape and is facing an extremely lengthy prison sentence. I have known Danny since he and my dear friend Bijou were married. Bijou and I are like family; her Papa and my Mama were in a band together in the 60's. She's the little sister I never had, and I thrilled in watching Danny and Bijou become parents in 2014 to a sweet baby girl. She is the spitting image of them both, and the center of their worlds. As it should be.

In early 2017, we learned that Bijou was extremely ill. She was hospitalized here in Los Angeles, while doctors figured out what was happening, and how to treat her. It was a terrifying period. Danny didn't leave his wife's side, moving into her hospital room and sleeping next to her every night. In the mornings, I would arrive to relieve him, and he'd head home to have breakfast with their toddler and spend some time with her. Before long, we learned that Bijou would need to have major surgery; a kidney transplant was needed. Her life depended on it. She was placed immediately on dialysis, and a search was begun for a donor. In April of 2017, Bijou underwent successful transplant surgery in Chicago, Illinois, where the best doctors were located that treated her medical condition. Danny rented a house in Chicago for six months, while Bijou recuperated, flying back and forth to Los Angeles to work. I know it was hard for him to leave his wife and daughter in Chicago, but I held the fort down when he left. We all became very



close during that time, and I got to know Danny more. We'd all been scared when Bijou had gotten so sick. I suppose situations like that draw people together, and thankfully, she's okay today. However, nothing is forever, and all transplants have a finite existence. We will likely have to navigate this experience again in her lifetime.

I know Danny to be a fantastic father, and husband. Family is of the utmost importance, and he maintains close relationships with all his siblings and with his parents. The Masterson House is almost never without the clamor of family and children and the guest bedroom is always occupied by a visiting family member. A full house, to be sure.

I'm hopeful that the time that Danny will be away from his daughter will be as painless as it can possibly be, for them both. It will not be easy, but I pray that the time will go quickly, and that Danny will be able to rejoin his family as soon as possible.

Thank you for taking the time to read this letter.

Respectfully-

  
Owen Elliot-Kuge





July 29, 2023

The Honorable Judge Olmedo

Re: Character Reference for Danny Masterson

Dear Judge Olmedo,

I am writing to you today on behalf of my dear friend, Danny Masterson, who stands before you awaiting sentencing. With a heavy heart and a deep sense of urgency, I implore you to consider this letter as a testament to Danny's character, one which I have been privileged to witness for the past 30 years.

During this time, I have known Danny to be not only a friend but a brother who never falters in his role as the moral compass within our circle of friends. With the affectionate nickname "the Mayor," he uniquely holds those around him accountable, pushing us to strive for the highest standard of behavior while embodying these standards.

In his role as a father, Danny's unwavering commitment and love are truly exemplary. His beautiful daughter stands testament to this dedication, and it is clear to all who know him that his role as a father is a responsibility he treasures deeply.

Despite his elevated status, Danny never placed himself above others during his professional career. Instead, he used his position to advocate for unity, treating everyone on set with equality, regardless of their roles. His ability to remember everyone's names and his constant concern for their well-being fostered an atmosphere of mutual respect and appreciation.

Danny's capacity for altruism extends far beyond his immediate circle. When adversity struck our nation during the 9/11 catastrophe, Danny stood tall in solidarity, raising significant funds for the healthcare of injured firefighters. This noble act is one of many instances where Danny has selflessly given his time and resources to aid those in need.

Furthermore, Danny has consistently shown a deep-seated commitment to helping struggling artists. His support goes beyond mere words of encouragement, extending to practical help such as providing them a home, co-hosting events where they can sell their art, or even buying their work. His compassion for these individuals and his efforts to lift them up illustrate his empathetic nature and his strong belief in human potential.

Danny's reputation as a person of high integrity extends across a broad spectrum of individuals, cutting across all genders and walks of life. He has a unique ability to connect with people on a genuine level, valuing their character over their status. His strong belief in goodness and honesty reflects the values he embodies, making him a loved and respected figure in many communities.

As you weigh the gravity of the charges against Danny, I humbly implore you to consider the entirety of the man who stands before you. A man who is more than the sum of these charges. Throughout his life, he has demonstrated unwavering integrity, empathy, and selflessness, extending his support to anyone in need, regardless of their status.

As a friend, a father, a colleague, and a humanitarian, Danny has touched countless lives. His contributions to his community and society have been significant and meaningful. Therefore, I ask you to consider these factors as you deliberate on his sentencing.

Thank you for your consideration and for the time you have taken to read this letter.

Sincerely,

Chris Kantrowitz



Deadline

August 11, 2023

The Honorable Judge Olmedo,

I am writing to provide a heartfelt testimony about my esteemed friend Danny. I am a 56-year-old chef and restaurateur, deeply immersed in the culinary world while also dedicating a significant portion of my time to rescuing dogs with disabilities. I have also volunteered around the world working towards the betterment of children and animal welfare issues.

My upbringing is rooted in our family-owned restaurant, an integral part of the Los Angeles community for over five decades. My spiritual journey has led me from my Catholic upbringing to embrace Buddhism as a guiding force in my life.

In the three decades of our friendship, I have had the honor of witnessing Danny's extraordinary qualities and the profound impact he has on those around him. As a parent, Danny's devotion and love shine brightly. Despite his own challenges, including severe allergies, he has transformed his living space into a haven brimming with animals, creating a sanctuary for his daughter. Their bond is a beacon of inspiration, evident whether they're camping in Yosemite, nurturing their garden, or engrossed in a game of chess. Danny's unwavering presence and guidance embody the essence of a dedicated father.

In times when the absence of a traditional family structure has left me navigating life's milestones alone, Danny's unwavering support has been a source of solace and strength. With open arms, he and his family have embraced me wholeheartedly, extending invitations to their gatherings and holidays. And despite his severe allergies to animals, Danny has gone above and beyond, ensuring that my canine companions are always included. His compassion and kindness transcend personal discomfort.

When Bijou, his wife, faced the challenges of kidney failure, Danny's dedication took center stage. His unwavering commitment was a testament to his resilience and determination. He left no stone unturned, overcoming distance and obstacles to ensure her well-being. His grace and spirit during those trying times were awe-inspiring. With the support of Danny's remarkable circle of friends, a miracle happened - a matching kidney was found, ultimately saving Bijou's life.

I am aware that Danny was convicted of multiple force by rape, but as you contemplate Danny's circumstances, I urge you to reflect upon these facets of his character. His commitment as a parent, a husband, a son, brother, and friend.

Your consideration is greatly appreciated.

Respectfully,



Francoise Koster

Mila Kunis

[REDACTED]  
[REDACTED]  
[REDACTED]

To The Honorable Judge Olmedo

I am writing this character letter on behalf of my dear friend, Danny Masterson, with whom I have had the privilege of sharing a significant part of my life. My name is Mila Kunis, and I am an actress, and I believe it is essential to share the remarkable influence Danny has had on my life and the lives of others.

I first met Danny during our time working together on That 70's Show, and from the very beginning, I could sense his innate goodness and genuine nature. Throughout our time together, Danny has proven to be an amazing friend, confidant, and, above all, an outstanding older brother figure to me. His caring nature and ability to offer guidance have been instrumental in my growth both personally and professionally.

One of the most remarkable aspects of Danny's character is his unwavering commitment to discouraging the use of drugs. His influence on me in this regard has been invaluable. In an industry where the pressures and temptations of substance use can be overwhelming, Danny played a pivotal role in guiding me away from such destructive paths. His dedication to avoiding all substances has inspired not only me but also countless others in our circle. Danny's steadfastness in promoting a drug-free lifestyle has been a guiding light in my journey through the entertainment world and has helped me prioritize my well-being and focus on making responsible choices. His genuine concern for those around him and his commitment to leading by example make him an outstanding role model and friend.

Danny's role as a husband and father to his daughter has been nothing short of extraordinary. Witnessing his interactions with his daughter has been heartwarming and enlightening. He prioritizes his family, education, and happiness above all else, demonstrating his unwavering commitment to being a loving and responsible parent. As a father, he leads by example, instilling in her values that reflect integrity, compassion, and respect for others.

Moreover, Danny has consistently displayed a profound sense of responsibility and care for those around him. He demonstrates grace and empathy in every situation, be it within the entertainment industry or in our personal lives. His steady support and understanding presence make him a reliable source of guidance and comfort for all of us.

Danny Masterson's warmth, humor, and positive outlook on life have been a driving force in shaping my character and the way I approach life's challenges. His unwavering commitment to being an exceptional older brother figure to me has had a transformative impact on my life, instilling in me a sense of self-belief and encouraging me to aim for greatness, but all while maintaining a sense of humility.

In conclusion, I wholeheartedly vouch for Danny Masterson's exceptional character and the tremendous positive influence he has had on me and the people around him. His dedication to leading a drug-free life and the genuine care he extends to others make him an outstanding role model and friend.

Please feel free to reach out if you require any further information or clarification.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mila', written in a cursive style.

Mila Kunis

Deadline

Christopher A. Kutcher



7/27/23

Honorable Judge Olmedo,

My name is Ashton Kutcher I am an actor, investor, philanthropist, and most importantly a father. I met Danny Masterson when I was 20 years old in 1998. He instantly became a friend, dedicated co worker, and role model to me. And has remained as such for 25 years.

As a friend, Danny has been nothing but a positive influence on me. He's an extraordinarily honest and intentional human being. Over 25 year relationship I don't ever recall him lying to me. He's taught me about being direct and confronting issues in life and relationships head-on, resolving them, and moving forward. Danny is a person that is consistently there for you when you need him. We've traveled around the world together, raised our daughters together, and shared countless family moments. Not only is he a good friend to me I've witnessed him be a good friend to others and the kind of brother others would be lucky to have.

As a role model, Danny has consistently been an excellent one. I attribute not falling into the typical Hollywood life of drugs directly to Danny. Any time that we were to meet someone or interact with someone who was on drugs, or did drugs, he made it clear that that wouldn't be a good person to be friends with. And for me, that was an implication that if I were to do drugs, he wouldn't want to be friends with me, which is something I never would want to risk or jeopardize. I am grateful to him for that positive peer pressure. He also set an extraordinary standard around how you treat other people. There was an incident where we were at a pizza parlor and a belligerent man entered who is berating his girlfriend. We had never met or seen these people before, but Danny was the first person to jump to the defense of this girl. It was an incident he didn't have to get involved in but proactively chose to because the way this man was behaving was not right. He has always treated people with decency, equality, and generosity. After 9-11 Danny was a huge advocate for support of the Firefighters effected by the event, rallying his friends and coworkers to pitch in however they could. Danny had his daughter a year before I had mine. He set a standard of being a hands on dad. We have spent countless hours together with our kids and he is among few people that I would trust to be alone with my son and daughter. He's also a dedicated and loyal husband with unwavering commitment to his wife.

We have spent hundreds of hours working together. Danny takes his job seriously. He is kind, courteous, and hard working. He treated everyone from the grips to the teamsters to the actors to the caterers as equals. He showed up on time all the time and always pulled his weight. We have also traveled around the world together promoting our work. I can honestly say that no matter where we were, or who we were with, I never saw my friend be anything other than the guy I have described.

While I'm aware that the judgement has been cast as guilty on two counts of rape by force and the victims have a great desire for justice. I hope that my testament to his character is taken into consideration in sentencing. I do not believe he is an ongoing harm to society and having his daughter raised without a present father would a tertiary injustice in and of itself. Thank you for taking the time to read this.

Best,

A handwritten signature in black ink, appearing to be 'L. D. K.' or similar, written in a cursive style.

Deadline

Martha Levitan



July 26, 2023

Dear Honorable Judge Olmedo:

I am eighty years old, a retired teacher, and Danny Masterson's maternal aunt and Godmother. My family and I have been an integral part of Danny's life since the day he was born. I have proudly watched Danny grow and in all of his forty-seven years have never witnessed anything but the respect and loyalty that he displays with whomever he encounters.

Danny has a strong and large loyal family who love him and depend on him.. When our first grandson was critically ill at birth Danny traveled from California to Long Island to support us during a horrific time. Our grandson is an accountant now and is twenty-four, a year younger than what Danny was at the time. He left his family and his California obligations to be with my daughter and son-in-law when they needed support.

True to form, Danny has devoted every moment possible to be a wonderful father to his daughter and a devoted husband to Bijou. When Bijou was critically ill Danny was there with her from her kidney transplant to her long recovery. Always there by her side and also caring for their little girl. When Danny and his immediate and extended family are together you can see and feel the love and loyalty among them. As the oldest sibling in a family of four, Danny is their rock. Always reliable, dependable and willing to do whatever he can to encourage them in whatever they pursue. He was raised in an environment of love, respect, and kindness. Danny exemplifies these qualities.

We have been blessed to have this young man in our lives because Danny is a truly remarkable man and we love him.

Sincerely,

A handwritten signature in cursive script that reads "Martha Levitan".

Martha Levitan

August 2, 2023

Dear Judge Olmedo:

My name is Alanna Masterson, Danny's only sister and youngest sibling. My brother is facing a lengthy sentence, therefore I wanted to give you some insight into the man that shaped me into the person I am today.

Danny is my best friend and helped raise me when my father left us. My mom was alone providing for all of us and Danny stepped in to shoulder that burden. He helped all of us financially, but also with the daily happenings of his younger siblings. He sat front row at every ballet recital (of which there were plenty) and made sure he was never late, with flowers in hand. He took me to school, to sleepovers. My first movie at the El Capitan. He came to visit me at boarding school all the time, and he gave his weekends to helping the kids in my drama class. He took me to my first concert and taught me all about music. He gave me a job when I wanted to go to college in New York so I'd have enough money for my subway pass and food. He let me live with him the entire time I was in school, so I wouldn't have to worry about the financial burden of finding an apartment. He was there when I graduated, front and center. He's never missed anything for me or anyone that I know. He flew to Atlanta where I was working and held my hand through 30 hours of labor, making me laugh in between contractions. He held my daughter so I could sleep and recover, while also taking care of his daughter.

He's the best father and husband I know. Never ever putting himself first. When his wife's kidney failed, he did everything he could to help her. He launched an awareness campaign to find her a match, after she was too far down on the transplant list and they were running out of time.

But the most important thing about my brother Danny, is his relationship with his 9 year old daughter. They are best friends. He does everything with her and for her. Homework, story time, dance class, mini golf, baking, brushing and braiding her hair so her curls don't get into knots. They have ballet recitals in the living room, and ice skating duets at the rink. They go and see movies every Saturday and go on long adventures together. She'd be lost without him, we all would be. He's our family's true North Star; for so many friends and loved ones.

I hope you take into consideration all of this information in regards to your sentencing. Thank you very much.

Respectfully,

Alanna Masterson

A handwritten signature in black ink, appearing to read 'Alanna Masterson', written in a cursive style.

August 16, 2023

Dear Judge Olmedo:

I'm writing on behalf of my son, Daniel Masterson. This is the most difficult letter I have ever written. How do I sum up my life with the child I raised and watched grow into a remarkable, humble, and caring man? Sitting through two court trials with my son's two convictions for rape by force is not just heartbreakingly painful, it is also shocking. I hope by providing you this personal information, you will have a better understanding of the person he is.

I brought up four children, a daughter and three sons, with Daniel being the oldest. When Danny was born, Danny's father and I were living in a small town in Happaug, Long Island. This was near where my sister and her family were living, she was working as an ER Nurse at the time. Pete Masterson, Danny's father was a construction worker with insurance. We lived a simple middle-class life. When Danny was 9 months old, we moved back to Nassau County to be closer to my work at the hospital. Danny's brother, Christopher, was born 4 years later. We were happy and content with our lives.

Pete was a great father to the boys, playing sports with them and taking them to baseball and hockey games. Danny was easygoing and friendly. He was a popular and social child who surrounded himself with friends and family from a young age. He started playing little league when he was 5 years old and continued to play through high school where he made the Varsity team in his freshman year. Danny also played hockey for the youth hockey team. His childhood teammates remain friends to this day.

Unexpectedly, our lives changed when we were still living on Long Island. When Danny was four, while walking in a park, a casting agent stopped to ask me if I was interested in Danny modeling children's clothes for magazines and commercials. She gave me her card. I didn't respond at that time, but I was contacted several times over the years by agents. Danny was a blond, curly-haired kid with an outgoing and confident personality. He was what they were looking for at the time. Several years later, they decided to look into it and sent Danny's and Christopher's photos to the Ford Modeling Agency, which has the best reputation as a family modeling agency. To my surprise, they accepted Danny and Chris and they started getting calls to work immediately.

I knew nothing about the modeling or commercial world but Danny and Christopher, the boys and I would take the train into Manhattan for auditions, and make

remember a time while Danny was waiting for his turn at an audition another boy up for the same role who was really nervous. Danny began encouraging him to relax and helping him memorize his lines.

Being the first born, he took on the role of being a mentor, protector, and a big brother to his younger siblings. He would spend many hours with his little brothers in the backyard, teaching them to hit and throw a ball. They looked up to him and the whole family would come to the games to watch him play. Every year during the months of baseball season, if he was injured, he would not work so he could play on a team. He was still a normal kid. Around the house, he mowed the lawn and was a stickler for keeping his room clean, unlike his brother Chris, whose room was always a mess.

Danny's father and I divorced in 1984, when Danny was 9 and Christopher was 11. After I moved to Florida with the boys, Pete remained a strong role model and visited them every month. I remarried in Florida and my two younger children, Jordan and Alanna were born there. Danny adored his younger siblings and always watched over them and protected them. My second marriage ended at a young age, leaving me as a single mother. Jordan's and Alanna's father was a negative presence in their lives and Danny became more than a big brother, he became their role model. His children have a strong bond and really love each other.

When we moved to Los Angeles, I was a single mother with 4 children. Danny was a teenager with siblings who were 10 and 12 years younger. He would help with their school runs, baseball practices, ballet classes. Whatever they needed, I worked late, he made them dinner. He tutored them on their homework and they went to bed early.

His siblings looked to him for guidance and advice into adulthood. He knew right from wrong. Danny would talk to his siblings about the dangers of drugs and their harmful effects.

The children followed in Danny's footsteps and became actors. Like his father, he taught them to work hard and be kind on set by learning all of the crew's names, as a sign of respect. So, it was natural for Danny after he booked THAT 70s SHOW that he gave guidance to the younger and less experienced child actors he was working with. He mentored them, and he warned them of the dangers of drugs that ruin lives in many people in the industry. He did that to be there for his colleagues and many of them, from cast to crew, became close friends.

Since I was a registered nurse, Danny would often ask my advice about how to handle sick colleagues. He would pay for their health care when they were

One of their neighbors, Farmer Craig, told me that Danny drove by on planting lavender in his field. Danny showed up the next day with his several other neighbors to help.

Because Bijou has been ill so much over the years, Danny became more their young daughter. Now, with him no longer there, it has been hard home raising their daughter alone. While she has some help from family, the burden falls on her to do what Danny always did for their daughter.

The winery business is also dependent upon him. I'm not sure how that would be without him there. There is also the very real possibility that Bijou's body needs a new kidney. If that happens, I worry about my granddaughter.

I know what you have heard about Danny in court. I hope that my letter and countless others from friends and family, will give a fuller picture of his contributions to his family, friends, co-workers, and community. I humbly request you consider his whole life when deciding on his sentence and his family's

Respectfully Yours,



Carol Masterson (Aug 17, 2023 21:29 EDT)

Carol Masterson

Deadline

August 16, 2023

Dear Judge Olmedo,

I am Danny Masterson's younger brother by four years. Sitting through both what was said about him was quite a trying experience. The things I heard were not what I know and have spent my life with. I hope you will consider the information I provide to help you decide on his sentence. I am not writing about his case or conviction, but about what I know about him, possibly better than anyone else, as his brother and best friend for nearly his entire life.

Everything I remember from my own life has involved Danny. In the 1980s, we were both working on the same week of the same summer and continued until the winter. He was the best man at my wedding, and I was the best man at his. We both helped my mom and for me, as both an older and younger brother, he taught me a lot about life and how to treat others.

When I was twelve years old, I was playing with a friend after school when he was sad because his dog had recently died. He pulled me aside and said, "Don't worry about things that make them feel sad unless you know how to help them feel better." This sums Danny up in a few short words. He has always, always thought about others and "what do they need?" and sometimes, more importantly, "what do they not need?" "what can I do to help them fix it?"

For some reason, people often confide in Danny and tell him about their wins and losses. He always made time for others when they've described their problems, and he always offered them their solution.

He has gotten jobs for more out-of-work people than anyone I have ever known. If someone says they can't find a job, he'll immediately ask a million questions, trying to assess their skills and talent until he has his lightbulb moment that inevitably brings him to an "ahh" moment. "You're perfect for such and such a company doing such and such a job. You would love working over there. I'm calling them right now to get you hired!" Anyone who has ever worked with production Danny has been involved with, would have noticed no less than that. Danny got hired on from previous projects he'd worked on.

All the thanks Danny could ever have hoped for occurred in 2014 when the and him with a baby girl. From the moment he met his daughter, his focus is above all other things. Their relationship is that of a father and daughter and A regular day for them involves picking her up from school and bringing her to restaurants, where they will sit, talk, and eat for an hour or more. They will go to the hill behind their house to work in their garden and vineyard together until dinner. She will go home to eat and play board games or work on her homework, watch TV, and he gives her a bath and then lays in bed and tells her stories while she falls asleep.

I very much hope he can be with her again. He will miss her teenage years, but he will help her through many of life's firsts. Alternatively, for all intents and purposes, he is her father for the rest of her life. He is everything to her, and she would love nothing more than to be with him.

I appreciate you taking the time to read my letter.

Respectfully,  
Christopher Masterson  
*Christopher Masterson*



Deadline

The Honorable Judge Olmedo,

My name is Deborah Masterson. I have been married to Danny for 38 years. We have been together for the better part of 38 and a half years. Our son had just turned nine years old.

Danny was a delightful young boy. Together with his younger brother, he spent hours in our home and yard playing hide and seek. Danny and I enjoyed sorting his baseball cards. We loved when his friends came for a visit and sit together for hours and trade baseball cards. It was his childhood hobby and was an avid reader. He loved comic books and music. After his father had summer custody, we would take family trips together and spend our time together. Danny is a fantastic athlete. He loves baseball and his coaches always praised his positive attitude and his skills as a player. He was always a team player. Danny always made friends easily and was popular among his peers.

Danny started his modeling and acting career at around four years old. I was amazed at his work ethic as a very young boy. It was obvious that he was doing. It was never a surprise to see him in a Sunday newspaper or to see him on a TV commercial. His young successes never went to his head. He had a very positive attitude about the direction he was taking in his career. He was doing and took his work very seriously. When other children were out working, Danny was out working and it was exactly what he wanted to be.

Throughout the years Danny's strong work ethic and dedication paid off. Danny achieved a level of success in the industry that most people would only dream of, but he achieved this success, not out of luck but out of hard work and dedication of himself. Adults who worked with him, producers who hired him, and crew, all gave his parents praises of how professional he was and what a pleasure it was to work with him.

called Dr. Reiser and asked him if he could arrange to see Dan Reiser said yes and Danny and his wife flew to Miami for a battle out that his wife had a very serious kidney disease. Dr. Reiser said a transplant would become necessary to sustain life and to prevent pregnancy. The doctor said that pregnancy could be life-threatening. They found it was very difficult for them.

It was a miracle when their beautiful baby girl was born. It was an occasion however the reality of a needed kidney transplant was still there. Through yet another miracle, one of Danny's good friends came forward donating his kidney. This young man loved his friend Danny and was willing to give one of his kidneys to save his wife. He is a hero.

The transplant operation took place in Chicago where Dr. Reiser was in position at Rush Hospital. Dr. Reiser oversaw all of the transplant and it was a success. Now Danny and his wife were given new hopes for a future with their beautiful baby.

Without going into detail, unspeakable sorrow came. It is known that it affected his and career. The stress of this may have destroyed many men but Danny did not let himself and he became a farmer. He grew vines to sell his grapes. Danny worked fifteen-hour days. Again, while others were playing golf, he was working. He made many new and good friends.

Throughout Danny's life, he never stopped working. He has always supported his family and he has always been generous with all who know him. As an actor, he gave generously to charities. Danny was always depended on because he was dependable and giving of his time. His role of helping his fellow actors if they needed any advice. On many occasions, he was the person who was there to help. When Danny's wife was going through the process, my niece, also a doctor at Rush Hospital, commented that caring Danny was with his wife.

I thank you for taking the time to read my letter.

 (Aug 7, 2023 15:45 PDT)

Sincerely,  
Deborah Masterson

Deadline

Dear Judge Olmedo:

My name is Jordan Masterson. I'm 37 years old and I'm an actor living in Los Angeles. Danny is my older brother.

Because you don't know my brother personally, I'm writing on his behalf hoping to give some insight into who Danny is, not only as an individual, but as a father, husband, and brother.

My father left for all intents and purposes when I was six years old. My little sister was four. We were raised by a single mother who worked her entire life to provide her children with a life that we could be proud of. She preached hard work and integrity, respect for self and others, kindness and patience. No one embodies those qualities more than my brother Danny.

When my father left, my brother stepped into a sort of pseudo father figure role for my little sister and me, even though he was only sixteen himself at the time. Providing not only money when times were lean (which there were plenty), but wisdom and guidance. He set an example for us about what it was to be loving, professional and respectful. Speaking as a young man without a father, having my big brother as a lodestar was a godsend. Taking me to baseball practice, picking me up from school, introducing me to films and music and art. I wouldn't be the person I am today without my brother. Just knowing someone was there for me outside my mom meant everything to me. While a young boy's father can't be replaced, I would say, in my experience, a great older brother comes really close. I was blessed with two of them. With Danny being the eldest, the majority of responsibility fell on him at an age he shouldn't have had to shoulder that responsibility. He did. Because he is that kind of person.

He was instrumental in steering my life as a teenager. One example of this was when it came to drugs. My brother has never done a drug in his life. When I reached the age that all teenagers do around 16-17, my friends were experimenting with smoking weed or taking other drugs. Danny simply led by example and was able to concisely and easily explain to me the ramifications of taking drugs. I have still never smoked weed or done any other hard drug and that is a direct result of my brothers guidance and wisdom.

Danny is a loving father to his daughter and a loving husband to his wife. He cares deeply for his family and always puts their needs first and foremost above his. When his wife needed a kidney transplant and was on dialysis for more than a year, my brother was by her side every step of the way. He moved mountains to get her the treatment she needed. Taking care of a young child and a gravely sick wife while also trying to maintain a career to pay for all of the above is extremely hard as you can imagine. But he did it. Never once did he complain or lament his situation.

He has not only raised millions of dollars for charities benefitting law enforcement, firefighters, artists, musicians and humans rights organizations, but has personally donated hundreds of thousands of dollars if not more of his own money to these charities. My brother cares deeply about others.

When I was shooting my tv show, Danny was also shooting one concurrently. We happened to be sharing the same crew for half the time just based on how scheduling works in the TV business, and there is not one single person on the crew that didn't love Danny. Loved working with him, his sense of pride and respect for what they were all doing together. He made it a wonderful working experience and always made sure they were taken care of. Making sure they were instrumental in the process and not just an afterthought. This is not the experience of most crews in Hollywood I can attest to that. My brother is just a special guy when it comes to matters like that. He leaves an impression.

I understand the lengthy sentence he is facing per the statute and letter of the law. My brother is looking at the rest of his life in prison. I pray that isn't the outcome. I ask for your utmost compassion with regards to Danny so that his family may get to see him again, his young daughter and wife most importantly. They are lost without him, as we all are.

Respectfully,

Jordan Masterson

A handwritten signature in black ink, appearing to be 'JM', written in a cursive style.

8/2/23

Deadline

Peter Masterson



Dear Judge Olmedo,

I am Peter Masterson, the father of Danny Masterson. I am writing to you to provide my personal understanding of the man Danny is, beyond what has been presented in the media.

Danny's life started in 1976, when he was born and placed in my arms. From the moment I held him to him, "I have a new best friend." Our bond has remained unbroken ever since.

Being my first born son enabled Danny and me to spend a great deal of time together. Danny and I shared a love of baseball, swimming and surfing. Over the years we spent countless hours having a backyard catch, swimming at the beach, and riding the waves. Danny was always a good son. I have many wonderful memories of us together but this particular moment in time has always had a special place in my heart. At a baseball camp one summer there was a bullying incident where a young boy pitched a ball directly at Danny's head, resulting in a serious black eye and swelling. As we were driving home from the hospital emergency room Danny asked me to tell the parents of the boy who bullied him. It didn't sit well with my son that the fact that he was seen on a TV commercial that this young man taught the young boy that he was a regular kid who loved baseball and he was not a bully. Danny and I invited the parents over for a swim. After we all sat down and talked about the incident that Danny was just another baseball-loving kid like him. This incident reinforced for me that Danny possessed a unique ability to navigate difficult situations with grace and maturity from a young age.

Danny discovered his talent at a very early age. At four, he was introduced to the modeling industry by the Agency for children. His charisma and maturity beyond his years made him a natural. He was loved by all who worked with him. His early modeling career eventually led to his current success.

I retain hope that one day, my best friend and I will be able to share time perhaps at a baseball game. I ask the court for compassion in its sentence, mind the loving, dedicated, and upstanding man Danny has been through.

Thank you for taking the time to read my letter.

  
Peter Masterson (Aug 7, 2023 18:25 PDT)

Peter Masterson

Deadline

To The Honorable Judge Olmedo,

My name is Will, I am thirty-six years old and Danny's youngest brother. I attended the preliminary hearings and both trials.

I am not a scientologist.

Eleven years senior, Danny is as much my best friend as an older brother. We worked together, we traveled together, and during the height of the pandemic he and his wife, Bijou, graciously welcomed me into their home to live for an extended period of time together with their daughter. On a daily basis, I had the privilege of seeing how compassionate and caring of a husband and father Danny is. Bijou's health unfortunately suffers heavily from a kidney transplant and Danny constantly makes every foreseeable effort to ease that burden as much as one could ever hope for. And he loves his daughter so much. He took her with us everywhere because she is his best friend too. I will forever cherish the moments of watching them act out the characters from books while reading together before bed. I desperately hope he can one day be a part of her life again.

Whether it's within the family, the community, or thirty plus years of productions he worked on, Danny is always the first to lend a helping hand to those in need and I know he will continue to do so wherever it is he spends the next stage of his life. The people he meets there will be as lucky to have him as I feel unfortunate to lose him.

In 2009 I graduated from the University of Southern California with a B.A. in Economics. Danny was the only one of my siblings to sit through the entire graduation ceremony in the scalding hot sun. He didn't make it a secret how proud of me he was, as he'll tell almost everyone I'm introduced to that I'm his brother who went to college. He wants the same for his nine year old daughter, but his dream is for her to attend Stanford.

Thank you, your honor, for hearing my thoughts on this subject.

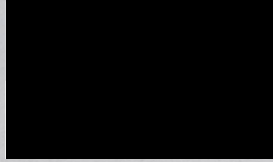
Sincerely,

A handwritten signature in black ink, appearing to read 'Will Masterson', with a long horizontal flourish extending to the right.

Will Masterson

FROM THE DESK OF

**Patrick McGreen**



July 25, 2023

Lieutenant Patrick McGreen FDNY

The Honorable Judge Olmeda,

I am a retired Lieutenant FDNY I have known Danny right after 9/11 he helped many colleagues to help recover from the damages from breathing in the toxic fumes when the towers collapsed. I worked close with him at many fund raisers. He organized, donated and put in his time and money and I was a speaker at these fundraiser's.

I met Dannels mother Carol and father Peter separately at different events and I liked them because they are supportive and are good New Yorkers as I see it. I met his brothers in Florida and California. And went to see a Broadway show with his mother Carol when my daughter was auditioning for Broadway herself. When I met Danny he was not married yet we would talk in length after these events and I got to know him better than most. After he was married I was a key speaker in Hollywood and I met his wife Bijou he is very happy with her and I saw what a husband he is.

I am aware that Danny has been convicted of two counts of forcible rape and that he is facing an extremely lengthy prison sentence - i.e., a potential sentence of 30 years to life. In my opinion this doesn't sound anything like the Danny I have known. Danny's shown integrity, honesty, dependability and he is a hard worker I have seen it in person. Danny been there for me and my family when I was sick and needed help and Fireman are not ones to ask for help we are used to helping others in a time of need.

Sincerely yours,

LT. Patrick McGreen FDNY

A handwritten signature in black ink that reads "Patrick McGreen".

PJ

July 26, 2023 10:04 AM

Steven Mona



23July2023

The Honorable Judge Olmedo,

I am writing this letter to you regarding my friend Danny Masterson. I am a retired NYPD Lieutenant S/A having served the department for over twenty-one years where I was a unit commander. I am also a World Trade Center 1<sup>st</sup> responder and that is where my now 17 year friendship with Danny began. In 2006, ill from my exposure at "Ground Zero" and recently retired I signed up for the New York Rescue Workers Detoxification Project after it had helped several of my colleagues. Unconventional and non-profit, the project relied on donations to operate, and Danny was asked to run a fundraiser. He toured the facility and he and I met as I had been asked to talk with him about my experience there. Affable and warm, we immediately developed a rapport which over a brief period developed into a friendship despite our 16 year age difference. That very day we exchanged phone numbers. I recall going home and telling Elaine, my girlfriend (now wife) of our exchange. She remarked, "he sounds nice, I am sure he was just being polite though, he's never going to actually call," I agreed with her. Imagine my surprise when several hours later I got a text, "Via Demille, dinner with some friends of mine, 9pm, please come." Danny introduced me to a table of people as, "his good friend," and from there it has become so. I met his wife Bijou when they began dating and I count his family as friends as well, having been with them many times over the years.

Your honor, I am painfully aware of the charges of forcible rape Danny has been convicted of and the penalties he faces. I have followed the trials but what I heard runs counter to the man I have gotten to know. I have observed not the character of Steven Hyde that Danny is most famous for but the actual Danny Masterson. That man is a loving husband, a doting father, a man who deeply loves his family and friends. It is a love reciprocated by all that know him because he is truly, "a friend indeed." Danny not only agreed to help raise funds for the NY Detox Project, but he ran several fund raisers, bringing in his friends from the entertainment industry to help. I was at many of those fundraisers, sometimes as a guest speaker, and I have watched Danny use his celebrity to help many of my fellow rescue workers. He received nothing in return for all he did for us and always asked, "what more can I do?"

Those words, "what more can I do?" have meant more to me personally than any other. In 2009, despite feeling physically well I was still dealing with the mental effects of my experiences at the World Trade Center. My fiancé and I had split up over my mood swings and I was feeling depressed. A chance call from Danny and I was not only heading into Manhattan to meet him, but he called several mutual friends. They raised my spirits that day and encouraged me to get some much needed help. Elaine and I are about to celebrate our 10<sup>th</sup> wedding anniversary.

In addition to my personal interactions with him I have gotten to know his friends in the entertainment industry, both in front and behind the camera. They describe a man who is honest, dependable, and respectful. A man who would do anything for his family, friends, and co-workers. I have been with him at restaurants and bars both here in New York City and Los Angeles and observed him interact with wait staff, retail workers and fans. His interactions are always respectful, warm and with a touch of his trademark humor.

I hope this gives you an understanding of the Danny Masterson I know and love. Thank you for taking the time to read my letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Mona', with a long horizontal flourish extending to the right.

Steven Mona

# JUSTIN E. MOONEY

July 25, 2023

To: The Honorable Judge Olmedo

Re: Danny Masterson

Dear Judge Olmedo,

My name is Justin Mooney, I'm a writer and I have known Danny since grade school. We have been very good friends for over thirty-three years. Our families are friends. We even worked on a television show together.

I am aware Danny has been convicted of two counts of forcible rape and faces a very significant prison sentence as a result. I would like to share with you my experience with Danny as a friend, co-worker, brother, son, husband and father.

Danny does this thing which I admire in that he introduces himself to everyone and finds out their name. He's been a famous actor for his entire adult life yet he always goes out of his way to make others feel seen and important, be it a waitress, or a guy at a gas station, or really any other day-to-day situation. He did this when others weren't watching. It was an authentic care for other people. It may not have seemed like much to him, but I saw him make countless people's days just by that simple action. This is a trait I've seen shared by his siblings, Christopher, Jordan and Alanna, so I'm sure some credit is due to his lovely mother, Carol.

Danny is one of the biggest reasons I have the career I do. He helped me get my foot in the door, taught me how television worked and was my biggest cheerleader in my subsequent promotions. And his behavior on a television set was just as above. From the head of the studio, to a new production assistant, Danny knew everyone's name and made sure to say hello. He was as loved a co-worker as I've ever seen in all the industries I've worked in. He was professional, talented and had an infectious attitude of happiness to be there that could not be denied. He was truly one of the very best at what he did, as an actor, and a co-worker.

As Danny and I met in grade school, and our families became friends a few years after that, we've gotten to experience growing up together. I watched him be a caring, but still cool, big brother. A guy who had an incredibly close relationship with his parents. I got to see him become a wonderful husband. His wife unfortunately has some recurring health issues and Danny has always taken great care of her. Then there was the life changing event of becoming a father. Danny is an incredible father to an amazing little girl. It was fun for me to see the changes in him. I recently became a father and Danny often talked to me about his experiences and imparted valuable advice.

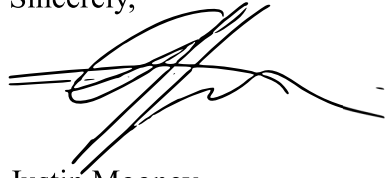
# JUSTIN E. MOONEY

The best example I have of what kind of person Danny is takes place, oddly enough, on the day he surrendered himself to police back in 2020. Very late that night, I was driving my then pregnant wife back from a meeting in the bay area when our car collided with a deer. We were luckily not injured, and we made it to a service off-ramp but the car was undrivable and we were in the middle of nowhere, hours from Los Angeles and a good thirty minutes to the nearest small town. Two police officers showed up and helped arrange getting our car towed but we were stranded. I called a few friends that were maybe within a two-hour drive to come get us but there were no options. One friend texted that Danny's place was about an hour away. I said there was no way I would be calling him, at midnight, on this of all days to ask him for a huge favor. A minute later my phone rang... Danny asked where we were and if we were okay. Forty-five minutes later he pulled up, of course introduced himself to the police officers and thanked them for helping us, loaded us up and drove us back to his place. His wife had set up a guest room for us and on what had to have been one of the worst days of his life, Danny spent hours making sure my wife and I were okay and taken care of. I don't know that I would've been the kind of person to do that for another... I'd like to think I would be... but I know Danny is.

I hope this helps to paint a fuller picture of who Danny is. I'm sure others will speak of his charitable work, like with the 9/11 First Responders and other stories of him doing things for others like he did for me. That's the thing, my stories about Danny are not unique. He did things like that for so many people for so many years. He had more people who would consider him their good friend than anyone I've ever met.

Thank you for taking the time to read and consider the above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Justin Mooney', with a long horizontal line extending to the right.

Justin Mooney

# JIM PATTERSON



August 1, 2023

The Honorable Judge Olmedo  
Clara Shortridge Foltz Criminal Justice Center  
210 West Temple Street  
Los Angeles, CA 90012

The Honorable Judge Olmedo:

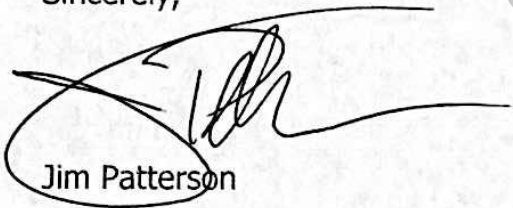
My name is Jim Patterson I am a TV Writer and the creator a Netflix show called "The Ranch". I worked with Danny Masterson on the show and have known him for close to nine years now. I don't really know how to do this and what to say exactly. It's a difficult task. I want to keep it brief for you, but I also want to try and give you a sense of the Danny I know and love.

At work Danny was always professional, courteous, and respectful to the entire cast and crew. He truly was everyone's friend. The kind of person who is funny, kind and always makes time for others no matter their level on the show. He worked hard and had a lot of responsibility, not only as a lead actor, but as an executive producer on the show, but the most important thing to Danny was that our crew/show become a family. Before the first show he pulled me aside and told me we are going to spend more time with these people than our own families in a lot of ways and he said I want to make sure we have fun, that everyone on stage feels loved, feels important and feels heard. And that makes sense because family is everything to Danny. Forget his career as an actor, his true calling is being a father, a husband, a son, a brother. I have never met anyone who valued family as much as Danny. There was never a single week when I didn't see his wife and his daughter, or his mom and dad, or his brothers or sister. He simply wanted them around because they are his favorite people in the world. Family is where Danny does his best work.

If I had to encapsulate who Danny is to me based on a single moment it would be when I found out my father was diagnosed with dementia. I only told a couple of people because I wasn't sure how to deal with it and I was in a pretty quiet / down mood the entire day at work. Danny found out from someone what I was going through, and he just came up to me and gave me a huge bear hug and told me he loved me and if I needed anything at all, at any time, he was there for me. That is the Danny I know and love. I am glad he is in my life, and I can't imagine it without him. He treats his friends like his family. He fights for them and tries to help them. I hired four people on the show only because Danny vouched for them. I remain close to all of them to this day. He's always been there for me if I need him and I hope this letter in some small way is me being there for him as well.

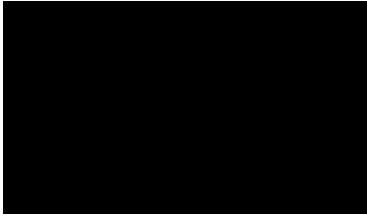
I hope this gives you a clearer picture of Danny even in some small way. He is someone I will always consider a friend and I am glad he has been, and will be, in my life.

Sincerely,



Jim Patterson

Shawn Michael Piller



July 25, 2023

**Honourable Judge Olmedo**

**Subject: My dear friend, Danny**

To The Honourable Judge Olmedo,

I am writing this letter to request the leniency of a lighter sentence for my longtime friend, Danny Masterson.

By way of introduction, my name is Shawn Michael Piller. I'm an established television producer, showrunner, and writer. In 1996 I met Danny while producing a movie. That was the beginning of what has become a longtime friendship that I hold very dear.

In addition to being a loyal best friend, Danny is a devoted father, husband, and an exceptional human being.

As a dedicated father, Danny's daughter is his life. He fought to bring her into the world with his wife, Bijou when they struggled to conceive. From the moment his daughter was born, Danny put every ounce of himself into being the best father to her — one that is patient, kind, and always there for her.

As a devoted husband, I watched how kind and supportive Danny has been to his wife Bijou, the love of his life. He helped her move away from drug use, and supported her to thrive as an actor, partner, best friend, and eventually a loving mother to their sweet daughter.

A commitment to family has always been a priority for Danny. He's been an amazing son to Carol and Pete, a mentor to his brothers Chris and Jordan, and a great big brother to sister, Allana. He's always been there for them, even when their father was living on a different coast.

Danny is a family man first — an incredible father, son, and husband.

Danny also happens to be one of the most loyal, inspiring, trustworthy, and loving people I've had the pleasure of getting to know. He's always been a person who goes out of their way to help people rise above their personal challenges — he is passionate about supporting others to overcome drug addiction, to pursue their careers, and to overcome personal hardships. He is a caretaker of people who makes time for strangers and friends, and is exceptionally generous with his time — advocating for them to become the best versions of themselves.

His charitable nature extended to the New York Rescue Workers Detoxification Project, which he supported for many years and encouraged others to do the same.

He's an adamant defender of women. At a late night pizza place, I watched Danny use his words to defend a woman who'd been struck by her boyfriend, ultimately rallying a room of support for her and ensuring security took her to safety. With a calm demeanour, Danny used reason and logic to address the situation. He's always been a great defender of women; one of the good guys. In both personal and professional situations, I've seen Danny step up in a calm manner, to ensure no woman is treated poorly.

As a professional, Danny's been extremely hard-working and a trusted leader. He treated his cast and crew with the utmost respect, including teaching his castmates on *The 70's Show* how to handle their business affairs, avoid drugs and the pitfalls of fame, and how to behave professionally in the business of entertainment. He truly cares for people — always taking time to get to know people and ensure they're doing well, irrespective of their role, rank, or title. This can be a rare, but exceptional trait in the entertainment business. He led by example, pushed people to be their best, and inspired many.

Danny loves people and has never shied away from a fan wanting a photo. Not only would he take a photo or sign an autograph, but he would ask about them. He'd ask their name, where they're from, and how they are doing. He actually cared and took the time to wish them well. He's always felt a great responsibility to be kind and generous with his energy and time.

Danny's family and friends depend on him for emotional support and many people rely on him for their living. He's employed hundreds of people directly and indirectly both in and out of the entertainment business.

Whether it is as a family man, a business person, or as a caring stranger to those in need, it is my deeply held belief that Danny Masterson is a force for good, who makes the people around him better through love and support.

It is with my intimate knowledge of this man's character over the last thirty years, that I again request your sincere consideration of a lenient sentence for my dear friend, Danny Masterson.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Piller", written in a cursive style.

Shawn Michael Piller

Deadline

To The Honorable Judge Olmedo,

I am writing to share my perspective on the character of Danny Masterson, who has been convicted of 2 counts of rape by force. My name is Bryan Price, a certified Airframe and Power Plant mechanic with a specialization in wide body aircraft. I am also a devoted husband and proud father of two children.

I have had the privilege of knowing Danny Masterson and his family for a significant portion of my life. Reflecting upon Danny's character, I am struck by his unwavering commitment to his family, friends, and his chosen vocation. Despite the recent circumstances, I would like to highlight the positive aspects of Danny's personality that I have personally witnessed.

Danny's dedication to his family is unparalleled. He places family values above all else and has demonstrated his capacity to evolve into an exceptional husband and father. His devotion to providing and safeguarding his loved ones is truly admirable.

During a pivotal time in my life, Danny played a pivotal role as both a mentor and friend. When I was a student in trade school, diligently working towards obtaining my licenses, Danny extended a helping hand by offering me a position in his home to work alongside him 2-3 days a week. As a young husband and father facing the challenges of supporting my family while pursuing an education, Danny's assistance was invaluable. His advocacy within his professional network ensured that I had consistent employment, which significantly contributed to my successful completion of school.

Through my interactions while working in his home, I had the privilege of observing Danny's genuine kindness and consideration towards his wife and young daughter. The genuine affection and care he demonstrates towards them are readily apparent and indicative of his character.

Danny's concern for my well-being extends beyond the professional realm. He has consistently taken an interest in my personal growth, offering valuable advice on matters related to life, work ethics, and relationships. His genuine desire for the well-being of me and my family has left an indelible mark on my life.

In conclusion, I want to emphasize that Danny Masterson is a man who, despite the current circumstances, has shown me qualities of sincerity, care, and dedication. While I acknowledge the gravity of the charges he faces, I believe it is important to provide a comprehensive perspective on his character.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bryan Price', with a long horizontal flourish extending to the right.

Bryan Price

July 26, 2023

To: The Honorable Judge Olmedo

Your Honor:

My wife and I have been friends with Danny Masterson for many years. (Our kids grew up around the same time period.) Recently, I became aware that Danny was convicted of 2 counts of rape by force and that he is facing sentencing.

I am a 74 year old, small business owner. My wife, Lyn, is a professor of women's history at Glendale Community College. My kids are actors.

When Danny was about 17, he came to Los Angeles and arranged to stay with us.

What a pleasure.

Danny was the brightest, friendliest, most considerate house guest that anyone could have wanted, always so polite and outgoing without ever being overbearing.

Notably, he made sure to carry his own weight and when he learned that I had been putting off installing a basketball net, (a project I had been dreading), without hesitation, Danny offered to assist me with the entire process, from buying a large amount of cement to digging the hole and setting the thing up.

Despite my initial reluctance, he talked me into it, and together, we got the job done. His encouragement and helpfulness extended beyond the basketball net, as he even joined me at my favorite gym as a supportive teammate for a game of pickup basketball.

By the way, that net provided so much enjoyment for the many barbecues we had that were attended by young people. Such good times.

When my wife, Lyn, and I ran into Danny at an event about 10 years later, he made it a point to come up to us and greet us warmly.

About the same time, my wife and I found ourselves in the rare position of being able to take a wonderful trip to New York City to see some Broadway shows. Danny let us use his apartment for free. My wife is from that area, so this really meant a lot to both of us. We were able to get around the city without spending a fortune.

I'm always impressed by his sincerity and friendliness. I know he misses his daughter terribly.

Respectfully,

*Albert Ribisi*

Albert Ribisi

Deadline

July 26, 2023

Dear Honorable Judge Olmedo

I am writing this on behalf of my dear friend, Danny Masterson.

I am 81 years old now and I have known Danny since he was a young boy. When he was a teenager, Danny's family was based in NY, so Danny would come to stay at my house during the busy months of auditioning for TV Shows. He was about 14 or 15 years old at the time. I had teenagers myself and they were all good friends. I found Danny to be very friendly, kind, generous, and always willing to help when he stayed with us. He wanted to make sure he was doing his part. He was never a trouble maker (as some teenagers can be!)... he was a peace maker!

I am an artist and I had an art show back in the 90's. By that time he was a well known actor. Danny came to the opening night, which I thought was a beautiful show of support. It meant a lot to me!  
Even though I am an "old lady" now, whenever I would see Danny he would always greet me with a big hug just to show he still cares. I think that shows a lot about his character.

I write this in hopes that Your Honor can see Danny in light of who he really is... a kind, caring, generous and over all wonderful human being.

With respect,



Gay Ribisi

Deadline

To The Honorable Judge Olmedo,

Aug. 8th, 2023

My name is Giovanni Ribisi. I am an actor living in Los Angeles.

I have known Danny Masterson since I was 9 years old. When we were children, Danny would trek across the country from New York and stay with my family and me in North Hollywood during the peak audition months for child actors. It was always a joy for my family to have him as a guest.

Two and half years ago, Danny visited my wife and me at our home. He talked about his farm where he managed to live and support his family by doing most of the work around the farm himself.

I have always known Danny to be an ethical, honest person, who lived with the highest standards in work and family. I have always known Danny to be a central figure in my peer group, because of his integrity, his stance against drugs, his abhorrence of violence and most of all the respect he demonstrates toward women and children. He is a devoted husband and a dotting father who sacrifices for his family. His wife and daughter depend on him.

I know Danny has been convicted of two counts of forcible rape. I only ask that you consider his daughter in his sentencing. He is a good father and he is important to her and her upbringing.

Kind Regards,

A handwritten signature in black ink, appearing to read 'G. Ribisi', written in a cursive style.

Giovanni Ribisi

To: The Honorable Judge Olmedo  
Superior Court of Los Angeles County  
Los Angeles, CA

26 July 2023

From: Lyn Ribisi  
[REDACTED]  
[REDACTED]

This letter is regarding the character of Daniel Masterson.

My name is Lyn Ribisi, and I am a professor of United States and Women's History at Glendale College. I have lived in Glendale, CA since 1988.

I have known Danny Masterson for many years. Our families moved to Los Angeles at about the same time, and our kids were close in age. We had Danny over to our house many times for parties and various get-togethers. He was always kind, considerate, and very helpful. We always counted on him to include everyone in the activities, and he often went out of his way to make others feel at ease, important, and welcomed. I have never known Danny to be anything but of sterling character. In all these years, I have never seen him disrespect women, nor have I seen him even make a crude joke of a sexual nature.

A number of years ago, I was putting together a project that required others to submit information and photographs. I sent out numerous requests for help, but Danny was the only one who responded—and he did so immediately. This meant a lot to me and was very helpful.

Later he welcomed us and any of his friends to the set of his shows and to his home. He is a loving husband and father—always proud of his family and taking the best possible care of them. A few years ago, his wife was very seriously ill, and he did all in his power to help her and ensure her survival. Without him, I can't even imagine what would have happened to her.

All of my interactions with Danny have been wonderful and left me with a feeling of happiness and a knowledge that I have been with a true friend.

Sincerely,

Lyn Posner Ribisi

To: The Honorable Judge Olmedo

Your honor,

I am writing to you today about Danny Masterson. Danny and I have been friends since we were very young, we grew up together. He used to stay with my family in Los Angeles during the heavy audition months as an actor. He became like a brother to us and very much a part of our family. He was always willing to help around house with our chores, but more than that he was such a pleasure to have, he always embraced our family movie nights, which was really important to my dad. My parents loved him!

Throughout the years I have remained good friends with Danny. We even dated for a brief stint in the late 90s, and he was nothing but kind, such a gentleman, always paid for our meals together, always made sure I was okay. He was happy and warm and fun, and had excellent manners with me. He even escorted me to a dance camp, knowing I really wanted to go, and spent 3 days with me swing dancing so I could improve my skill. I'm sure this was not something he would have died to go to, but he went knowing I really wanted to go.

Danny has a huge group of loyal friends who love him dearly and I understand why. I have only seen him help his friends, one friend he lent money to buy their first home, another guy who fell on hard times, he hosted art shows, threw my friend a wedding, threw birthday parties for us, etc. Over all, if someone in our friend group needed help, they would always go to Danny. It's why is so loved. He is such a huge support for all of us. I have never heard him say a negative word about anyone, he is and always has been a very positive person, ethical and honest. He was always vocal about his stance against drugs and didn't allow them at his home.

Most importantly, he is an incredibly devoted father and husband. It's amazing to see him with his wife and daughter, his love and patience. I remember when his wife fell very ill, he found the absolute best doctor for her condition and moved them to Chicago for 6 months to be under this doctor's care in order for his wife to receive the help she needed, this allowed her live. My family and I visited them while there and he took us to the best Chicago style pizza place and spoke to my son about baseball. I just remember it being the best night, and my son was so happy.

Sincerely,



Marissa Ribisi

Debra Jo Rupp

August 2, 2023

The Honorable Judge Olmedo

Dear Judge Olmedo,

My name is Debra, I am 72 years old, and I live in the mountains in Western Massachusetts. I am writing this letter on behalf of Danny Masterson. I have known Danny and his family since 1998 when I began working with him on "That 70's Show". I am aware that Danny is convicted of 2 counts of forceable rape and, though it is so hard for me to wrap my head around this, I respect the law and the court. I always have.

But I would like to tell you about the young man I know.

Danny was the leader of the "kids" on our show. He had the most acting experience and was a little bit older. He was well liked and very respected. One of the first things Danny did with them was to sit them all down ( he had a little meeting) and had them all make a pact that no one would do drugs because of the nature of our show. The spotlight would be on them and he wanted everyone to succeed. I remember thinking that it was such a smart thing to do and something I never would have thought of. As a result, you never saw them in the tabloids. Danny made sure of that and I was so appreciative. They all kept their word.

Danny was always respectful and kind. On show days when the camera crew would come in, Danny was the one that shook each camera man's hand before we started. He knew everyone's name, where they lived and about their families. I did not. He was loved. Over the years Danny is one of the few that came to support me by seeing my shows in the theater. He brought his family sometimes. And it was a joy. And so appreciated. One night we went to dinner, he had dragged another cast member, his father and some friends to see me, and it was dark and late after theater. I had to get home in New York City so Danny called an Uber, paid for it and escorted me out. There are so many instances of things like this. He was just like that. Respectful and kind.

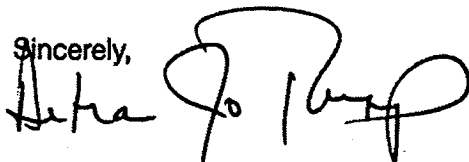
Wilmer Valderama asked the cast of 70's Show to go to his high school graduation. Danny and I were the only ones to go. I remember looking at him and dying. It was outside, in the valley, really hot, and he was a "V" alphabetically. We laughed so hard during that. It's a really nice memory. Danny just always showed up to support.

I knew Danny's family through work. I had worked with his brother Chris on another show and always saw his family hanging out in his dressing room. Danny's dressing room was above mine and Danny loved music. Many times I found myself going upstairs to ask him to turn it down and was always greeted with an apology, a grin and an instant fix. It's these little things that come to mind when I think of Danny. I later did his show "The Ranch", he called me at home in Massachusetts. I hadn't done tv in awhile, and he offered it to me. I was so grateful and touched. I loved hearing him play with his daughter in the hallways - it was an awesome giggle.

So thank you for allowing me to tell you about the Danny Masterson that I love.

I just read this letter back. It's so hard for me to express on paper but I understand that he is facing a lengthy sentence and I really wanted to tell you about these moments. He would take the time to do it for me.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra Jo Rupp". The signature is fluid and cursive, with a large loop at the top and a long, sweeping tail that ends in a small flourish.

Debra Jo Rupp

Deadline

July 24th, 2023

Barbara Shenstone  
[REDACTED]

Dear Honorable Judge Olmedo,

Thank you for taking the time to read these few words about Danny Masterson and what an outstanding father, husband, uncle, son, member of our community and friend he is. We are all so saddened about the recent verdict about Danny. It has turned all of our worlds upside down like nothing you could ever imagine.

I am a mother, a wife, a daughter, an aunt, a small business owner, a volunteer, and a friend. I first met Danny when our daughter started her first day of school as a young child about 5 years ago. Both of our families have 'only' girls who are the same age and they quickly became best friends. Our girls have remained best friends throughout the years and are like glue stuck together. We spend a lot of time with Danny, his wife and daughter. We go on family vacations together, we were in a pod over covid together, we went on a cross country RV trip together and many dinner parties, bbq's, extended family holidays (Easter, Thanksgiving, Christmas) together. Our children are always at each others houses having sleepovers and playdates. In fact they are together so much they have a toothbrush, clothes, pajamas at each others houses. Danny has always been a very engaged and responsible father, doing homework, reading books, making sure they mind their manners. He would always get them ready for bed, read stories to them before bed, take them on outings, teach them things around the farm, play with them, swim with them. He is always so kind, patient and generous with our family treating our daughter like his own. I trust Danny 100% with our daughter who is the most precious thing in the whole world to me. He has never lead me to believe otherwise.

Our families spent a 3 week holiday driving cross country in an RV all together with the girls school books over covid. I went with trepidation thinking how is this going to go all 6 of us on top of one another in an RV for 3 weeks but I cannot say enough wonderful things about it. The Masterson's were so wonderful to be in such a small space with. Danny took charge and drove us for hours and hours on end as we chatted, stopped at different sights, worked on homework with the girls. It was a truly incredible trip seeing some of Americas most stunning national parks. Not a cross word or impatient moment in fact just laughter and wonderful memories. We have been skiing numerous times together, camping trips, rented air bnb's together, go to horse shows together. Every trip Danny has always been so kind, engaging, funny, polite, courteous and a truly great friend.

Danny works tirelessly providing for his family. He is up working first thing and is often in the fields with the vines till late in the night. He planted a vineyard and learned how to tend to it on his own to provide an income for his family. He comes in for dinner and during harvest or pruning will oftentimes go back out until late at night with a headlight on working until late. I honestly don't think I know anyone that is more dedicated and a harder worker than Danny.

Our families have spent many holidays together. My parents, his parents, our extended families have all spent holidays all together. Danny is always so kind and helpful staying afterwards to do all the dishes and put everything away after these extended family celebrations. He is so down to earth, engaging, kind, interesting, helpful and dependable.

After this life changing event I continue to spend a lot of time with Danny's daughter. I have noticed quite a change in her. She misses her daddy beyond what words could say. This little girl is so smart, polite, kind, and courageous. She is very pensive now and thinks a lot. Danny was so involved in her life this has created this huge void in this little girls life. No child should have to suffer through such pain.

This past weekend she spent the weekend at our house, the girls set up a tent in the backyard to camp and she asked if my husband could take over her dads job of making the best bbq in the world. I said of course we will ask her daddy for the recipe so we can continue to enjoy her favorite.

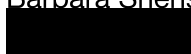
Danny has always been there for my family and I. He is always the one you can call on in any situation. He's an involved member of our community and a very involved family man. A reliable, generous, kind, dependable, trustworthy, loyal guy. We all miss him so so much!

Thank you or taking the time to read these few words about this incredible Dad, husband, son, uncle, neighbor, member of our community and friend. I remain at your disposal if you have any questions

Yours Sincerely,



Barbara Shenstone



Deadline

24 July 2023

Nick Shenstone



To the Honorable Court,

I'm saddened to have to write this letter but to try and help add some perspective on what an outstanding individual Danny is I would like to say these few words.

After a career as a private Yacht captain around the world, we settled in California after retirement ,I am 55 years old .

I thin Danny and his Family became friends partly due to us having a love of travel and traveling to different countries,

Also we became friends because we share the same values of family unity and being kind to one and another.

My wife, daughter and I met Danny, his wife and daughter when we put our young daughters in the same school. We found Danny to be very family oriented, loving and caring not only towards his family but to ours as well. Seeing as our daughters are best friends at school we ended up socializing with Danny and his family and going on multiple vacations with him.

We would sometimes be at Horse shows with our daughters, and if one fell he would rush over in a flash to sooth the tears and persuade them to get back on ,because they trusted him implicitly. (Very kind and gentle)

I always found Danny to have outstanding manners in every situation. Whether it be super courteous to my in laws at family functions, to opening doors for ladies first. Very old school, East coast, Irish gentleman never forgetting his manners.

Our children are always at each others houses, having sleepovers and the like. Never once have we ever worried. He was always the one that put the girls to bed, made sure they brushed their teeth etc. A very good, responsible, engaged and active father.

You can see that now he has gone, his daughter at events is watching other children with their fathers ,looking sad and wondering why has he been taken from me.

At dinner parties he would always be the first to introduce guests unknown to his family and friends and always included them in lovely gentle chit chat.

Danny's work ethic was very strong knowing he had to provide for his wife and daughter.

He worked so hard to try and get the farm up and running to make some income to support his family as he is not able to continue on in his old career.

He would sometimes come in at 8/9 at night looking exhausted ,but still with a smile on his face and a jolly demeanor .

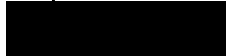
In my view (I'm 55 years old and have traveled extensively throughout the world) he has a lot more manners, honesty and integrity than many many people I have met in this changing world.

He is a good old school chap who's dependable, honest, nice, gentle and funny. I have never ever heard him raise his voice to any one, and is a very calm guy. He needs our love and I will always be there for him in any situation as he has been for me.

Kind Regards,



Captain Nick Shenstone



Deadline

# Kurtwood Smith



August 2nd 2023

**The Honorable Judge Olmedo**

Dear Judge Olmedo:

My name is Kurtwood Smith. I have been a professional actor for 57 years, the last 43 years working primarily in film and television. It is as an actor that I came to know Danny Masterson.

I should mention that I am aware that Danny has been convicted of two counts of forcible rape and is awaiting sentencing.

I have known Danny since the spring of 1998, when we began filming the television show That 70s Show. We worked on the show for eight years and I consider Danny to be a good friend. Our friendship revolved around work. Primarily because of our age difference we didn't socialize much outside of work but I saw him every day on the job whether we had scenes together or not.

I believe Danny to be a wonderful actor. When working together I always found him to be prepared, inventive, and responsive to suggestions from the director, myself, and other actors. Danny was also very enjoyable to be around. He has a quick wit and a good sense of humor. I always looked forward to working on scenes with Danny. I should mention that he was extremely popular with the crew. He was usually the first actor to learn every crew member's

name, what their job was, and how it related to his job. Danny was the leader among his contemporaries in the cast. He was a tad older and much more experienced and he took that position seriously. During the eight years we did the show, we never had the problems some other shows had with their younger cast members.

After the show ended in 2006 I didn't see much of Danny, except for occasional events, until almost 10 years later, when I began playing a recurring character on The Ranch. Danny was one of the stars of the show. I was happy to be working with him again. It was also great to see his family. If you know Danny, you know his family. I have known his parents and younger brothers and sister since we started work on That 70s Show. They are a very close knit family; they seem to care very much for each other and work to help one another succeed.

Danny was now married and the father of a beautiful little girl. It was a treat to spend some time with him at work and to be around him and his family. I had met his wife while we were still shooting That 70s Show, although they were not married at the time.

I found that Danny treated all women on the show with respect, not only the women in the cast, but women on the crew as well. It was my observation that he treated the woman he married in a respectful and loving way. Later, when we were working on The Ranch, I was aware that, not only were they a happy couple, but he was a wonderful father to his daughter.

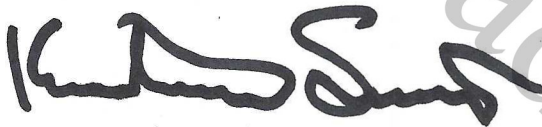
I had the opportunity to watch Danny with his daughter. At the time she was maybe two or three years old. It was so clear how much he loved her and how delighted he was with her. He was so patient and

easygoing with her. At one point, when she became fussy, he joked with her and made faces and she calmed down and was laughing. She clearly loved her daddy.

I consider Danny a talented, hardworking, giving actor. I have viewed him being respectful and considerate to those he has worked with. He has been a leader and positive force among his peers. He has seemed loving and caring, not only towards his wife and daughter, but his family at large.

For all the reasons I have mentioned I consider myself fortunate to have had Danny Masterson in my life.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kurtwood Smith". The signature is stylized with a large, sweeping initial "K" and a long, horizontal stroke that extends across the middle of the name.

Kurtwood Smith

Judge Charlene F. Olmedo  
Los Angeles Superior Court  
Clara Shortridge Foltz Criminal Justice Center  
Department 105  
210 West Temple Street  
Los Angeles, CA. 90012

July 23, 2023

Honorable Judge Olmedo,

I write to you in reference to Daniel P. Masterson. Daniel and I have been friends for several years. I am a friend from outside of the Scientology and "Hollywood" circles, and I am not associated with either of those cultures in any way. I have spent two decades as a public servant in law enforcement, with a significant understanding of the law and legal process. I provide this information only in the context that it has given me a unique perspective on criminality and character assessment.

I recognize the jury delivered their verdicts, and you must now act upon those verdicts and impose a prison sentence upon Daniel. I respect and understand the serious and impactful position your sentencing decision has upon all parties, defendant, and victims alike. In your sentencing determination, I respectfully ask you to consider the following information regarding Daniel.

In the many years I've known Daniel, he has never displayed the type of behavior that was presented at trial. In fact, I have never once seen Daniel act in a negative, violent, or inappropriate manner. To the contrary, Daniel has always been a gentleman, and a loving and caring individual. This is most evident in the love and affection displayed for his 9-year-old daughter.

Daniel has lived a life of helping others. I have personally witnessed Daniel help elderly neighbors with arduous tasks. One such occurrence was a large oak tree fell on a neighbor's property. Daniel rallied several neighbors to grab their tools and saws, and led the group to help. This may seem minor or irrelevant, but it speaks to his overall character. He is always willing to help, unsolicited. He treats friends and strangers alike with respect and dignity. When someone needs help, you can always find Daniel being the first person to ask how he can help. He has used his public figure status to raise awareness and funds for those in need, to include substantial funding and assistance for victims in the years after 9/11.

The testimony against Daniel in this case do not match the man and character my wife and I know. If there was ever a belief or observation that Daniel was remotely close to how he was

described at trial, I would never allow a person of that character around my wife and children. Daniel has been nothing but a loving and caring friend to our family.

The convictions in this case are contrary to the person we know. Daniel has been a productive member of society, led a good life, and is raising a beautiful young daughter with his wife, Bijou. Bijou has serious health issues that are in a continual state of treatment, and her health is fragile. Daniel has stood steadfast beside her, as a primary caretaker, and loving and compassionate husband, and father to their only daughter. I have personally witnessed Daniel's devotion to his wife, in caring for her and her health needs, and the incredible father he is to his daughter. A 30-year prison sentence for Daniel has a consequence that may never allow his daughter and wife to see him outside of a penitentiary setting.

Punishment and rehabilitation are the core principles of our penal system. I understand that punishment must be imposed. I ask that you consider his young age twenty years ago, relating to the conduct for which he was convicted. Since that time, Daniel has led a positive and productive life with zero negative interactions with the criminal justice system. I believe it is possible to achieve the purpose of punishment, and also allow Daniel's daughter and wife a chance at life with him outside of a penitentiary once the sentence is fulfilled.

I say this from my heart; I do not believe Daniel poses a threat to society, and he is a positive contributor to society and his family. I recognize the difficult task and careful consideration you must give to his sentencing, and I ask for your consideration of the aforementioned information in your determination for sentencing.

Sincerely,

A handwritten signature in blue ink, appearing to be 'R. Smith', written over a light gray grid background.

R. Smith

To The Honorable Judge Olm

I am writing in regard to my fri  
were children, reconnected wi  
and over the next 3 decades,

I know that Danny has been o  
life.

My firsthand experience is tha  
out to his brothers, sister, mor  
think of him as mostly driven t  
and then become a father had  
father and husband.

When we were teenagers, it w

I know that Danny was extensively invited me to several fundraisers to attend the event or give money. I considered friends, and therefore taught me about my responsibilities.

I know there are many factors that I have to say has any bearing on behalf of someone who I have been an example to me, I humbly ask you to use to our society. Because he

Thank you.

Sincerely,

A stylized, handwritten signature in black ink, appearing to be a cursive name, located in the bottom right corner of the page.

**DAVID TRAINER**



24 July 2023

To The Honorable Judge Olmedo:

I am writing in support of the character of Daniel Masterson, who faces sentencing in your court for two counts of forcible rape. I am a television director. I worked with Danny on a daily basis on two series, "That '70s Show" and "The Ranch," for a total of 12 years over a period of about 20 years. He is a colleague, and a friend, and a man I know well.

Television can be a stressful business. I've seen Danny relaxed, and under pressure, and he is always calm, considerate, and concerned with the well being of others. Actors can be demanding. He is the opposite. He is a hard working, disciplined cast member who is always attentive to his fellow actors, the interests of the crew, the quality of the work environment, and the feelings of the people around him. People like him and respect him and look up to him. He has the natural authority of someone people trust.

Early in "That '70s Show," when the young cast was just becoming known, one of our actresses was being harassed by the manager of her gym. Danny was indignant on her behalf about this inappropriate behavior. I was 30 years older, their director and mentor, and Danny came to me with the actress to discuss how to stop the abusive behavior. He was her friend and her advocate and together we settled on a plan to stop the problem. He didn't just disapprove of bad behavior. He wanted to stop it and make things right. He knew when peoples' feelings were hurt, when people needed support, when he could help.

“That ‘70s Show” featured scenes of carefree kids smoking pot. But in his personal life, Danny was always strictly opposed to drugs of any kind. The cast made a pledge to each other, which they keep faithfully, never to do drugs. Danny’s personal opposition was central to that commitment. He is a man of upright values. When you know someone well for a long period of time, there is much you can say in support of his character. But as you consider Danny’s future, I hope this brief glimpse will give you some sense of the man who stands before you.

Respectfully,

A handwritten signature in black ink, appearing to read "David Trainer". The signature is fluid and cursive, with the first name "David" being more prominent than the last name "Trainer".

David Trainer

Deadline

The Honorable Judge Olmedo,

My name is Jonathan Tucker, a friend and contemporary of Danny Masterson. Among other initiatives, I spearheaded The Pegasus Fund—a charity dedicated to fostering the academic and cultural growth of students from underserved communities, I run a retail business (The Boston Garden) that has breathed new life into a family-owned dairy farm in Massachusetts, and sit on advisory boards for a venture capital fund for female founded and female run companies (Halogen Ventures), a business in Oxnard, California (Sespe Creek Distillery) and the head of the International Brotherhood of Teamsters in Washington D.C.

Danny was a leader to so many of us young actors who came to LA in the early aughts. He guided by example and, in explicit, direct conversations, shared the pitfalls that we might encounter ahead: drugs, alcohol, unhealthy romantic relationships, ego, laziness, and mental health. The irony that this mentor to so many now faces 30 years to life for 2 counts of forcible rape couldn't be described as anything but surreal. From intense discussions about our career endeavors to shared moments of what it is to be a man of honor, my friendship with Danny has been one of mutual respect and admiration. He has made me a better actor by helping make me better man, particularly in a city as challenging as Los Angeles and a business as unstable as entertainment.


When I started my charity sixteen years ago, Danny immediately offered to DJ my first fundraiser in Los Angeles, donating his time, equipment, and valuable name to the nascent effort. He did that more than once and in turn is instrumental in changing the lives of a half dozen young people in Los Angeles, including one student who is graduating from Colgate College this year, the first in his family to graduate high school, let alone a liberal arts college in New England. His public philanthropic efforts helped make philanthropy an important part of being an actor in Hollywood. I also witnessed first-hand how Danny treated his employees at a clothing store he started called Confederacy. Danny set a standard for decency in the workplace, explaining the fact that "everyone has something to offer – everybody has a story to tell."

As a husband, Danny demonstrates devotion and commitment. I have seen him interact with his wife Bijou—supportive, understanding and loving. He understands that relationships require work and nurturing and is willing to put in that effort to maintain a strong and fulfilling partnership. They enjoy a quiet life in Santa Ynez, traveling to LA to visit family, siblings Jordan and Alanna whom I also know well.

He values personal growth and taking responsibility, and when faced with adversity reverts not to defensiveness, but reflection and quiet leadership. He is beloved by his crew and colleagues for this reason and is vocal about how to treat others, both professionally and personally.

As a father, Danny's enduring love and dedication to his daughter shine through. He is not a father just in title; he actively participations in her life. He endeavors to provide for her, to educate her and above all, to be a model of good conduct and behavior. I have witnessed his pride at her achievements and his thoughtful approach when she faces trials. That she might grow up without him is a heartbreak I cannot describe.

His commitment to his family, his loyalty to friendship, and his desire leave the world better than he found it is his truest character.

Sincerely,  
  
Jonathan Tucker

Judge Olmedo

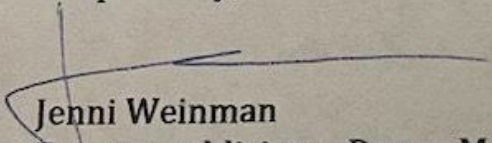
I have known Danny Masterson for the past 25 years. For 22 of those years we worked together. I was his publicist through his entire career.

He took pride in being the best version of himself and always exhibited great joy when he or an associate accomplished something meaningful. Nothing was a bigger accomplishment or brought him more joy than the birth of his daughter. I am aware of what this conviction means for him and what he was convicted of. As a mother, it pains me to think of the loss his daughter feels daily with out him home. For the sake of her moments and her life please don't take him away from her forever.

I have only known Danny to be kind, respectful and engaging. He was always professional. He was always prepared. He was always on time, always considerate of the people that came to meet him or the time of others when he was with them.

I traveled with him many times over and there was never a lack of gratitude for his position or the opportunities that his work provided for him. We came up in this business as young adults together. He had always been a man of great integrity. He lived a meaningful life with a humility about him that allowed for others to shine. He truly wanted to best for those around him.

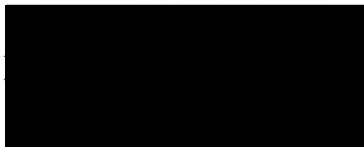
Respectfully,



Jenni Weinman

Former publicist to Danny Masterson

## James Woodworth



Honorable Judge Olmedo,

My name is James Woodworth and I have been a close personal friend of Danny Masterson and his family for the past 20 plus years. My heart breaks knowing that Danny is facing the possibility of spending the next 30 years to life in prison for forcible rape.

The tragedy of September 11, 2001, is the only reason I came to know Mr. Masterson. After serving four years in the United States Air Force as a medic where I worked General Surgery, Orthopedic Surgery, ran the Labor and Delivery Unit, and Oncology. After my service I moved to Sacramento in 1983 and a few years later I ran Sacramento Occupational Medical Group a large occupational medicine practice, the Sacramento Occupational Medical Group and a medically supervised detoxification program called HealthMed. The detox clinic treated drug addicts and chemically exposed workers who had become sick from work related toxic exposures.

In the early 1990's I started my first charity called the International Academy of Detoxification Specialists (IADS), a 501 c3. The purpose of IADS was to support research and provide free medical detoxification to Gulf War Veterans who had become ill after being exposed to toxic smoke from the oil fires Saddam Hussein had started and other chemicals while in serving Iraq.

On the morning of 9/11 shortly after the first tower collapsed, I decided to move from Sacramento to New York City and open a new division of the IADS. Knowing that the first responders and volunteers would become ill from the toxic smoke and dust I started the New York Rescue Workers Detoxification Project. From September 2002 through December 17, 2009, we treated over 1,000 New York City firefighters, police officers, active-duty military, ministers, Rabbi's, construction workers, lead and asbestos removal workers, survivors and volunteers who were very ill. "Restoring Quality of Life" was the stated purpose of our charity. More than 400 NYC firefighters who wanted to return to work but were being forced to medically retire due to their 9/11 related lung damage were able to return to full duty and not retire. Without Danny's help this would never have been possible.

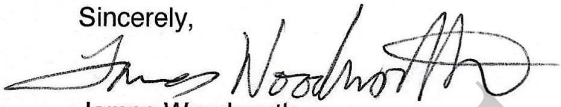
Back in the fall of 2003 while living in New York City and running my newly found charity I had the pleasure of meeting Danny who had volunteered to attend a fundraiser with more than 500 people. He and his castmates were amazing and helped raise nearly \$1,000,000 for firefighters. From that night on Danny and I became friends and I now consider him as part of my family. Danny Chaired or co-Chaired five fundraising events that raised nearly \$2,000,000 for the charity. He would spend weeks prior to each event making sure we could reach our fundraising targets.

Danny would take the time to personally meet, take photos and talk with every rescue worker and they really appreciated that he took the time to listen to their stories and talk with their family members. Rescue workers would often tell me, "He's so down to earth" and "he really cares". You cannot put a price on the hundreds of hours each year that Danny dedicated to the rescue workers and our charity.

Our families have vacationed together and spent time in each other's homes and workplaces. Danny has always been consistently kind, respectful, honest, trustworthy, and patient with everyone in private and public. He has been there for me, my family, and my charity and for that I am truly grateful. He has improved my life and the lives of many others. It's been a pleasure watching him grow from a very good young man and become a loving husband and father. Without a doubt, the most important thing to Danny is his wife, daughter, and family. He is an incredible provider who loves his family and takes care of his friends. When Bijou was confronted with some very serious and long-term health issues he really stepped up to the plate and acted without a single complaint or concern for himself, ever.

It is my hope that Danny's two decades of helping thousands of others across the country be taken into consideration.

Sincerely,



James Woodworth

Deadline

FROM THE DESK OF

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## TRAVIS WARNER

August 15, 2023

Dear Judge Olmedo,

My name is Travis Warner. I am a composer for film and commercials, and a children's music songwriter. Danny has been a close friend of mine the past 4+ years. He has always been extremely generous and caring towards me.

I am aware of his conviction on 2 counts of forcible rape, with a potential sentence of 30 years to life in prison. I find this not only tragic for Danny's life, but a devastating blow to his wife, daughter, family and friends who all depend on him for their own well-being.

Danny is an amazing father and provider for his family. He has stuck by his wife Bijou's side through very difficult times. When she had kidney failure a few years back, he helped her to find a donor and nursed her back to health. He helps his daughter in learning, and with new experiences in life in a clear effort to build character. He helps her with her homework and helps her get ready for bed in the evenings. She helps him with his vineyard, and seeing the two of them work together is evidence not only of his love and care for his daughter, but of her admiration and love for her father. He is gentle with her, kind and tolerant.

When he was blacklisted as an actor due to the rape allegations, he had to quickly find a new way to provide for his family. He immediately got to work building a new business from the ground up. I've seen him spend countless hours working in the field, learning to be a sommelier, learning about growing vines, fermentation, and every aspect of his new enterprise. He works long hours in the field, cultivating and pruning his vineyard in order to provide for his family. During harvest season, he invites me to help out and partake in the fun. He works through the night picking grapes and through the entire following day preparing the harvest for processing.

He is extremely generous and liberally shares his wealth with so many of his friends. Even before we became close, he would invite me to his home to share in weekend activities with friends. As a close friend, he offers his home any time I am nearby, and invites me for weekend getaways to relax. He is a very social person, and a stable



friend for neighbors and their children, inviting people over to his house to play in the pool or grill on weekends.

While he has been unable to work as an actor recently, I have seen him use his understanding of this art form to help others. I saw him work with his sister Alanna in developing her character for an audition. He helped her dive deeper into the life and background of the person she was portraying. It showed me how interested he is in humanity and, as an artist, how much he loves his craft. He is extremely knowledgeable and works hard to share that knowledge with others so they may succeed in their own endeavors.

I hope you will take these positive aspects of Danny's life and character into account.

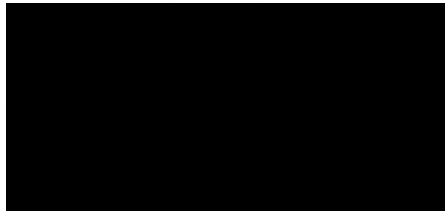
Sincerely yours,



Travis Warner

Deadline

Erica Krusen, LMFT



Judge Olmedo

Re: Danny Masterson

The Honorable Judge Olmedo,

I am writing this letter as a friend to provide a character reference for Danny Masterson, who is facing sentencing in your court. I understand the gravity of the situation and the importance of the court's decision in this matter.

As someone who has known Danny personally for 15 years, I have had the opportunity to observe his actions, behavior and interactions with others. Based on my experiences, I would like to highlight several aspects of his character that may offer a comprehensive view for the court's consideration.

I want to emphasize that Danny is an individual of good moral character and has always shown a genuine desire to be an upstanding member of his community, volunteering and participating in activities that reflect a desire to positively impact society. Having worked in the non-profit sector for the last 20 years, I have witnessed his willingness to give back to the underserved and disadvantaged. As an avid music fan, Danny often participated in fundraisers over the last 15 years that I would hold for MusiCares (safety net of resources for the music community) and the GRAMMY Foundation (music education) and took a real interest in how we helped serve those in need. This is not only a reflection of his compassionate nature, but also a testament to his understanding of the privilege he holds. He recognizes that he has been fortunate in various aspects of his life, and he feels a responsibility to share his blessings with those who are less fortunate.

Despite his own struggles over the last few years, I watched him offer support to mutual friends facing challenges of their own. His strong ability to connect with and uplift others has had a positive impact on those around him.

Danny has shown remarkable dedication to personal growth as a father since his daughter was born. As a father, Danny has consistently shown a deep and genuine love for his child. His interactions are characterized by warmth, attentiveness and a desire to provide a stable and nurturing environment. His daughter has always been his top priority and I have personally been able to witness his sincere efforts to foster a health and supportive parent-child relationship.

I trust in the court's wisdom to make a just decision and appreciate the opportunity to provide additional detail to his character.

Thank you,

A handwritten signature in black ink, appearing to be 'Erica', with a long, sweeping horizontal line extending to the right.

Erica Krusen, LMFT  
CA MFT #47181  
TN MFT #1353

Deadline

August 21, 2023

Honorable Judge Olmedo,

I am writing to express my support for Daniel Peter Masterson.

My affiliation with Danny dates back over two decades, during which time we developed a close friendship. Our association originated in 2004 when he attended one of my band's performances. Despite our band's lack of a following or record deal, Danny admired our music and provided us with an invaluable opportunity to feature us playing on his radio program on Indie 101.3 FM. This gesture significantly contributed to our band securing a record deal.

Nearly a decade later, I unexpectedly needed a place to live when my wife and I separated and later divorced. Danny was there for me, helping me get back on my feet, providing me a place to live and being a genuine supportive friend. He helped me through one of the worst periods of my life. I am now happily remarried with a child.

In 2016, circumstances took a grave turn when Danny's wife, Bijou, urgently required a kidney donor due to kidney failure. She was in dire need, as no family members or acquaintances matched as potential donors. A medical evaluation revealed that I was an ideal match, and two years later, I successfully donated my kidney to save Bijou's life. This ordeal was emotionally trying for Danny, who shouldered the responsibilities of caregiving, while managing their baby daughter's needs and his wife's medical care. Throughout this challenging period, Danny remained steadfastly devoted to his family, displaying unwavering support even during hospitalizations.

Danny's generous and caring nature was exemplified by his offer to be a kidney donor for my son, who was diagnosed with diabetes shortly after Bijou's surgery. He has displayed heartfelt compassion during trying times for both my family and me.

Danny has profoundly shaped my understanding of friendship, empathy, and unwavering support. I know a jury has found Danny guilty of serious charges involving rape by force. This does not represent the man I have known for over 20 years. I ask that you consider all the good that Danny has done in his life.

Respectfully,

*Christopher Wadhams*

Christopher Wadhams

*Gavin McCutchen*



January 24, 2008

Dear Danny,

My name is Gavin McCutchen and I am a recently retired Captain in the New York City Fire Dept. I was off duty on 9/11 and responded to Ground Zero from my home in Queens. I arrived as the second Tower collapsed. I was down there for 2 days straight and many months afterwards looking for survivors at first and then looking to recover the remains of many of my friends and colleagues who were killed that horrible day.

Subsequently, I became very sick from breathing in the toxic air that was emanating from Ground Zero. I was hospitalized on numerous occasions because of my difficulty breathing and also because the oxygen level in my blood would drop.

I heard about the New York Detox Project through a fellow firefighter who had successfully completed the program. He raved about how great it worked. I completed the program and feel absolutely terrific. The staff was amazing, they treated me and all the patients in the program with respect and compassion. They were so helpful and kind. I can't say enough about the staff.

This program would not be possible if it were not for you and people like you. I would like to thank you for your kind support and generosity. You have made such a positive impact on my life, and I will be forever grateful.

Respectfully yours,

*Gavin McCutchen*  
Gavin McCutchen



*Lisa Clement, MD*

August 22, 2023

To Whom it May Concern,

[Redacted]

Thank you for reading this letter and please call me with any questions.

*Lisa Clement*  
Lisa Clement, MD

[Redacted]

August 14, 2023

Dear Judge Olmedo,

I am writing to you to ask that you consider this information when sentencing my husband, Danny Masterson. Danny and I have been together for 19 years. We married in 2011 and our beautiful daughter was born in 2014. She is the bright spot throughout many years of crises and uncertainty.

I can say that Danny has literally been a life-saving partner to me. [REDACTED]

[REDACTED]

[REDACTED]

At the time, our daughter was just three years old. She was our miracle child. I depended on Danny to take care of me and our daughter. I always felt that she would be okay because Danny is an amazing father. He was devoted to our daughter, would read her books, take her on walks and to ballet lessons. I never once heard him complain. The two were inseparable.


[REDACTED]

When we finally returned home, we thought we could start to focus on our lives as a family. That's when the investigation against him began. After he lost his show and acting career, he devoted himself to finding other ways to earn a living. We left our home in Los Angeles to move to a farm in Santa Ynez, where I could recuperate. Danny immediately began to work the land and grow a beautiful vineyard with 6,000 vines, that he tended on his own for six years. He toiled long

days on the land to make it profitable for our family. He took classes to learn about growing grapes, wines and he became a sommelier. He also studied the business end of it.

Danny has always been against drugs and helped so many friends and colleagues get sober. My husband, who never smoked a joint in his life, has strong feelings about drugs that have never wavered. He tried to shield the younger actors he worked with from such temptations and offered them advice on their careers and in their lives.

Danny is an amazing father. Our daughter and I are heartbroken that he is not home with us. It has been very difficult without him here. Even though he is now in jail, he calls her every day. He helps her with homework every night. He teaches her math with kindness and patience. She is far above grade level in all subjects, reading three grades above her own, and that is thanks to the guidance and attention of her father. Danny has watched her piano recitals and applauds when she practices in the living room after each song. Our daughter loves her pony on our farm, as well as our dogs and cats. But more than anything, she loves her father. When he calls us each day, she ends with "I love you too much Daddy."

 We need him more than you can imagine. I know he has been convicted of serious crimes. But the man I married has only been an extraordinary husband to me and a devoted father to our daughter.

Thank you for taking the time to read my letter.

Very respectfully,

*Bijou Phillips Masterson*  
Bijou Phillips Masterson (Aug 14, 2023 10:39 PDT)

Bijou Phillips Masterson