

STATE OF MINNESOTA
COUNTY OF CARVER

FILED
APR 11 2017
CARVER COUNTY COURTS

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In the Matter of:

Court File No. 10-PR-16-46

Estate of Prince Rogers Nelson,
Deceased.

**ORDER DENYING MOTION FOR FILING
DOCUMENTS UNDER SEAL**

The above-entitled matter came before the Court on April 5, 2017, without a hearing.

On March 21, 2017, Holland & Knight, LLP filed with the Court redacted and unredacted Fee Statements through January 31, 2017, in connection with their motions for approval of payment of fees filed December 12, 2016 and March 3, 2017. The Fee Statements were filed as documents 1468 – 1471, 1473, and 1474. The first motion was filed with the Court on December 12, 2016 and includes only unredacted documents 923 through 930. The second motion was filed with the Court on March 3, 2017 and includes redacted and unredacted documents 1369 through 1376. Holland & Knight requests that based upon the confidential terms of the court-approved agreements that are not yet finalized and executed and other confidential information in the attorneys' fees invoices, their unredacted filings be filed under seal.

On March 23, 2017, Justin Bruntjen, attorney for Alfred Jackson, filed with the Court his Motion for Approval of Attorney Fees, along with redacted and unredacted copies of his Memorandum of Law (documents 1482 and 1484), his Affidavit (documents 1483 and 1485) and Invoices (documents 1486 and 1487). Mr. Bruntjen requests that based upon the confidential terms of the court-approved agreements that are not yet finalized and executed, and other confidential information in the attorney's fee invoices, his unredacted filings be filed under seal.

Pursuant to the Court's Order Regarding the Filing of Certain Documents Under Seal filed January 23, 2017, if a party filing a document wishes a document to be filed under seal, it shall file with the document a (1) motion for the document to be filed under seal, (2) memorandum setting forth why the document, or portions of the document, should be filed under seal, (3) redacted version of the document to be filed publicly (if applicable) and (4) proposed order for the sealing of the document. The Court shall exercise a strong preference for the sealing, through the use of

a redacted copy, of only those portions a document that reference confidential business transactions, privileged information, or otherwise should be filed under seal. In this analysis, the party should review the standard set forth in *Minneapolis Star & Tribune v. Schumacher*, 392 N.W.2d 197 (Minn.1986). While Holland & Knight and Mr. Bruntjen have complied in part with the procedural requirements for filing documents under seal, the redacted versions of the Filings redact significantly more information than necessary to protect confidential information, and some filings completely lack redacted counterparts.

Therefore, the Court makes the following:

ORDER

1. Holland & Knight's motion to file under seal their motion documents and Fee Statements through January 31, 2017 is respectfully DENIED.

2. The unredacted documents identified as documents 923-930, 1374, 1375, 1376, 1468, 1469, and 1474 shall be unsealed on May 5, 2017, unless prior to that date Holland & Knight submits redacted versions of those documents consistent with the standard set forth in *Minneapolis Star & Tribune v. Schumacher*, and those redacted documents are found satisfactory to the Court.

3. Mr. Bruntjen's motion to file under seal his motion documents and Invoices through January 31, 2017 is respectfully DENIED.

4. The unredacted documents identified as documents 1484, 1485, and 1487 shall be unsealed on May 5, 2017, unless prior to that date Mr. Bruntjen submits redacted versions of those documents consistent with the standard set forth in *Minneapolis Star & Tribune v. Schumacher*, and those redacted documents are found satisfactory to the Court. The redacted document identified as document 1483 which is redacted but was filed under seal shall be unsealed on May 5, 2017 unless good cause is shown to keep it filed under seal.

5. If the party who filed the documents initially does not submit an appropriately redacted version of those documents by May 5, 2017, and if the Court does not feel that the document can be unsealed due to references to confidential business transactions, privileged information, or otherwise should be filed under seal, appropriate sanctions may be imposed upon the filer.

Dated: April 5, 2017



Kevin W. Eide
Judge of District Court

NOTICE: A true and correct copy of this Order/Notice has been served by EFS upon the parties. Please be advised that orders/notices sent to attorneys are sent to the lead attorney only.