

**STATE OF MINNESOTA
COUNTY OF CARVER**

**DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION**

In Re: Estate of:

Court File No. 10-PR-16-46

Prince Rogers Nelson,

Deceased.

**ORDER DENYING REQUEST
FOR MOTION FOR
RECONSIDERATION**

The above-entitled matter came on before the undersigned on May 1, 2018, without a hearing, pursuant to a letter filed April 24, 2018 from Samuel Johnson on behalf of Sharon, Norrine and John Nelson (“SNJ”), requesting leave to file a motion for reconsideration of this Court’s April 13, 2018 “Order on Motion Regarding Non-Disclosure Agreement and Confidentiality.” The Court has also received and reviewed a responsive letter from Joseph Cassioppi on behalf of the Personal Representative filed April 26, 2018.

Mr. Johnson states in his letter “It was expected that the Court would provide an NDA in a form it considered acceptable, that Spicer and/or McMillan could sign or reject.” The Personal Representative and Mr. McMillan have worked for over a year trying to negotiate an NDA that was acceptable to each, either directly or with the assistance of the Moderator/Mediator appointed by the Court. The Moderator/Mediator understands the nuances of the various drafts of the NDA and the arguments of the Parties. The Moderator/Mediator is skilled in mediation and is very familiar with common terms used in NDAs. The Moderator/Mediator did not indicate to the Court that either party to the negotiations acted in bad faith, rather based upon their independent analysis of their legal positions they could not come to an agreement. The Court gave the parties the opportunity to have the Moderator/Mediator, based upon his hours working with the language of the NDA and his full understanding of the arguments of the parties, determine a final form of the NDA which Mr. McMillan could sign or reject. Mr. McMillan declined this offer. The Court declines the invitation to insert itself into the negotiations regarding specific terms of the NDA.

The Court ruled that the Personal Representative cease to negotiate an NDA with McMillan. The Court allowed and is in full support of the SNJ heirs’ use of others as advisors, if they enter into an NDA. This would include Mr. Spicer. Whether they choose to do so or not is entirely up to SNJ and Mr. Spicer.

Therefore, the Court makes the following:

ORDER

1. Mr. Johnson's request for leave to file a motion for reconsideration of this Court's "Order on Motion Regarding Non-Disclosure Agreement and Confidentiality," filed April 13, 2018, is respectfully DENIED.

BY THE COURT:

Date: May 2, 2018

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.