

**STATE OF MINNESOTA**  
**COUNTY OF CARVER**

**DISTRICT COURT**  
**FIRST JUDICIAL DISTRICT**  
**PROBATE DIVISION**  
Case Type: Special Administration

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In the Matter of:

Court File No. 10-PR-16-46

Estate of Prince Rogers Nelson,

Decedent,  
and

Tyka Nelson,

Petitioner.

**BREMER TRUST'S MOTION TO  
DISMISS RODNEY HERACHIO DIXON'S  
PURPORTED CLAIM AGAINST THE  
ESTATE OF PRINCE ROGERS NELSON**

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Special Administrator, Bremer Trust, N.A., opposes the attempt by Rodney Herachio Dixon to participate in this special administration matter and moves to dismiss Mr. Dixon's purported claim against the Estate of Prince Rogers Nelson ("Prince"). On April 27, 2016, Mr. Dixon filed a document entitled "Declaration, Petition & Demand for Notice of Rodney H. Dixon" in this matter. Mr. Dixon's filing is captioned as if it were a complaint against Prince's estate, but his filing appears to seek permission to intervene in this matter pursuant to Minnesota Rule of Civil Procedure 24. Mr. Dixon asks to be "allowed into the Probate proceedings as an Interested Observer for any and all activities therewith." Doc. No. 12 at 2.

Mr. Dixon should not be permitted to participate in this matter because he has no legally cognizable claim against Prince's estate, and Mr. Dixon's claim against Prince's estate should be dismissed for failure to state a claim upon which relief may be granted pursuant to Minnesota Rule of Civil Procedure 12.02(e). In short, Mr. Dixon's claim is frivolous. Bremer is promptly responding to Mr. Dixon's request to participate and purported claim against Prince's estate in order to protect the assets of the estate from such frivolous claims.

Mr. Dixon's filing claims that he is "the sole and exclusive owner of all intellectual properties after the death of Prince Rogers Nelson" with reference to Prince's copyrights and "music catalog/vault." Doc. No. 12 at 2. But Dixon's filing does not state a valid claim as to ownership of any intellectual property owned by Prince. Any transfer of copyright ownership must be in writing, and Mr. Dixon does not allege that any such writing exists. 17 U.S.C. § 204(a) ("A transfer of copyright ownership, other than by operation of law, is not valid unless an instrument of conveyance, or a note or memorandum of the transfer, is in writing and signed by the owner of the rights conveyed or such owner's duly authorized agent."). Indeed, Mr. Dixon claims that he owns Prince's intellectual property not based on any written document but instead "[b]ased on a verbal and implied agreement." Dixon Demand for Notice (Doc. No. 12 Ex. B.); *see also* Doc. No. 12 at 3 (referring to an "implied agreement" regarding Prince's "music catalog/vault-at-issue"). Because Dixon has not alleged facts that—even if true—would constitute a valid transfer of copyrights, Dixon has failed to properly state a claim of ownership of any of Prince's copyrights.

Moreover, the mere fact of a prior lawsuit against Prince, in the absence of any valid and enforceable judgment against Prince, in no way gives Mr. Dixon any rights to any assets in Prince's estate. Mr. Dixon's filing appears to claim that Prince's response to a prior lawsuit somehow constitutes a will: "the actions of Prince Rogers Nelson regarding these two cases show forth his 'will' in regard to his estate relating to the music catalog/vault that has been at-issue since the year 1994 from activity stemming from the year 1982."<sup>1</sup> Doc. No. 12 at 3. Mr. Dixon's claim cannot succeed, because, like a transfer of copyright, a will to transfer property after death must also be in a written document signed by the testator. Minn. Stat. § 524.2-502

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<sup>1</sup> Mr. Dixon's filing sometimes refers to one prior lawsuit against Prince and sometimes refers to two prior lawsuits against Prince purportedly brought by Mr. Dixon.

(Execution; Witnessed Wills). Again, Mr. Dixon's submission confirms that no such writing exists.

In sum, Mr. Dixon has no valid legal claim to any financial or property interest in Prince's estate. Accordingly, because Mr. Dixon has no legally cognizable claim to any assets of Prince's estate, Mr. Dixon's request to participate should be denied and his purported claim against the estate should be dismissed.

Dated: April 29, 2016

s/Laura E. Krishnan

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**ATTORNEYS FOR SPECIAL  
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