

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CARVER

FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In the Matter of:

Court File No. 10-PR-16-46

Judge Kevin W. Eide

Estate of Prince Rogers Nelson,

Decedent.

**ORDER ON MOTION REGARDING
NON-DISCLOSURE AGREEMENT AND
CONFIDENTIALITY**

The above entitled matter came on before the Court on April 13, 2018, at the Carver County Courthouse, Chaska, Minnesota, pursuant to the SNJ heirs' Motion to Resolve the NDA and Confidentiality Issues Involving SNJ's Advisors.

Sharon Nelson, John Nelson and Norrine Nelson were represented by Samuel Johnson, Esq. Comerica Bank & Trust was represented by Joseph Cassioppi, Esq. Retired Justice James Gilbert was also present for the hearing.

Central to the matter presently before the Court is the intent of Sharon Nelson, John Nelson and Norrine Nelson to use the services of L. Londell McMillan and/or Northstar Business Enterprises, LLC to advise them on the entertainment business issues that arise in the administration of this Estate.

On May 10, 2017, the Court held a hearing on a proposed entertainment transaction. Prior to the hearing, L. Londell McMillan had not signed a non-disclosure agreement (NDA) with the Estate. During the hearing, Sharon Nelson, John Nelson and Norrine Nelson requested that Mr. McMillan be allowed to review the proposed transaction and to offer suggestions to the parties and the Court as to whether the agreement was in the best interest of the Estate or to offer suggestions on how the agreement might be approved. Upon assurances made on the record to the Court by Mr. McMillan that he would promptly sign an NDA, the Court granted the request of Sharon Nelson, John Nelson and Norrine Nelson.

Eleven months later, Mr. McMillan and the Estate have not been able to come to an agreement as to the terms of an appropriate NDA. The Court has been advised that the "standard" NDA being used by the Estate in its business negotiations has been signed by numerous other individuals and a very similar NDA was signed by Mr. McMillan and the Estate when Bremer

Trust served as the Special Administrator and Mr. McMillan served as an advisor to the Estate. In an effort to resolve this lingering dispute, which has no doubt cost the Estate thousands if not hundreds of thousands of dollars, the Court directed, and the Estate contracted with, an experienced Moderator/Mediator, Ret. Justice James Gilbert, to resolve the remaining areas of disagreement. Justice Gilbert worked extensively with the parties in attempting to resolve their remaining disputes. Central to those disputes are provisions proposed by the Personal Representative which are crucial to the protection of privileged information regarding the Estate. Even with the efforts of the Justice Gilbert, Mr. McMillan and the Personal Representative have not been able to reach agreement on the NDA. The parties are simply at an impasse.

The Court has serious concern that even if the terms of an NDA is successfully negotiated there will be ongoing disputes regarding issues when a conflict is obvious or arguable.

Time is of the essence in the resolution of this issue as the parties will be back before the Court in five days to address the approval or disapproval of several negotiated contracts. Sharon Nelson, John Nelson and Norrine Nelson need to know whether they can utilize Mr. McMillan or his business entity to advise them as to the strengths or weaknesses of these proposed agreements. For this reason, the Court is issuing this Order immediately following the hearing and reserves the opportunity to issue an Amended Order with additional findings or legal conclusions.

Based upon all of the files, records and proceedings herein, the Court makes the following:

ORDER

1. In an effort to preserve the assets of this Estate, the Personal Representative shall cease efforts to negotiate the terms of a non-disclosure agreement with L. Londell McMillan and Northstar Business Enterprises, LLC.

2. No party to this proceeding shall disclose confidential information regarding the administration of the Estate of Prince Rogers Nelson with L. Londell McMillan and/or Northstar Business Enterprises, LLC.

3. Sharon Nelson, John Nelson and Norrine Nelson, as well as the other heirs to this Estate, may utilize the services of advisors and consultants as they chose. However, no confidential information regarding the administration of the Estate of Prince Rogers Nelson shall be disclosed to an advisor or consultant until a non-disclosure agreement has been entered into with the Estate.

4. The hearing currently scheduled for April 18, 2018 shall be heard as scheduled.

BY THE COURT:

Dated: April 13, 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.