

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CARVER

FIRST JUDICIAL DISTRICT
PROBATE DIVISION
Case Type: Special Administration

Court File No. 10-PR-16-46

In the Matter of:

Estate of Prince Rogers Nelson,

**ORDER ON HANSEN DORDELL
MOTION FOR ATTORNEY FEES**

Decedent.

The above entitled matter came on before the Court on May 7, 2020 without a hearing upon the Court's review of the Petition to Confirm Attorney Lien and Enter Judgment on Lien filed on April 6, 2020 by Hansen, Dordell, Bradt, Odlaug, and Bradt, PLLP ("Hansen Dordell") and related party submissions.

Hansen Dordell previously represented three Heirs – Sharon Nelson, Norrine Nelson and John Nelson ("SNJ"). Hansen Dordell first applied for an attorney's lien in January 2019. After receiving submissions from the parties, the Court addressed the lien request in the Court's Findings of Fact, Conclusions of Law & Order Re: SNJ Attorney Liens filed April 5, 2019. In that Order, the Court noted SNJ's various objections to Hansen Dordell's fees, and ordered Hansen Dordell to seek reimbursement from the Estate for fees which may have benefitted the Estate as a whole. Those fees were submitted for review by a special master. On August 27, 2019, the special master issued his decision on the fee submissions, determining Hansen Dordell was entitled to \$32,225 as compensation for its fees directly benefitting the Estate. The special master's decision was adopted by the Court on September 25, 2019; and the Estate paid Hanson Dordell \$32,225 on September 30, 2019. After application of the fees paid by the Estate, SNJ's current balance owing is allegedly \$271,099.

In the Order for Submissions & Hearing on Hansen Dordell Motion for Attorney Fees filed April 8, 2020, the Court invited SNJ to file a written memorandum setting forth any specific objections to the Hansen Dordell motion by April 22, 2020. The Court then granted Hansen Dordell leave to submit a reply memorandum by April 29, 2020. Both SNJ and Hansen Dordell submitted memoranda for the Court's consideration.

Now therefore, the Court makes the following:

ORDER

1. The hearing scheduled for May 12, 2020 at 10:00 a.m. on Hansen Dordell's Petition to Confirm Attorney Lien and Enter Judgment on Lien is cancelled.

2. Hansen Dordell's motion for an attorneys' lien against SNJ's interest in the Estate will be granted on June 19, 2020 unless, before that date, the Court is informed either that the SNJ Heirs commenced a law suit to determine the reasonableness of the fees, or the parties have engaged a mediator or arbitrator to address the issue.

3. The attached Memorandum is incorporated herein by reference.

BY THE COURT:

Dated: May 7, 2020

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.

MEMORANDUM

The Court would first note that it does not appoint counsel for heirs, it is completely up to them as to whether they wish to be represented, and by whom. Accordingly, the probate court does not have jurisdiction over the amount and reasonableness of attorney's fees charged an heir (or in this case a group of heirs). That would be a separate dispute and would, perhaps, not even be venued in Carver County. The probate court only determines the reasonableness of fees being charged against an estate.

The matter presently before the Court is not the amount of the attorney's bill, but whether it should be a lien against the Heirs' interest in the Estate. An attorney's bill is presumed to be valid unless a court, mediator or arbitrator determines otherwise. In light of that presumption, this Court will grant a lien against SNJ's interest in the Estate for the Hansen Dordell attorney's bill on June 19, 2020 unless, before that date, the Court is informed either that the SNJ Heirs commenced a law suit to determine the reasonableness of the fees, or the parties have engaged a mediator or arbitrator to address the issue.

K.W.E.