

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

Court File No. 10-PR-16-46
Judge Kevin W. Eide

In the Matter of:

Estate of Prince Rogers Nelson,
Decedent.

**DECLARATION OF SARAH M. OLSON
IN SUPPORT OF COMERICA BANK &
TRUST, N.A.'S RESPONSE TO FILINGS
BY OGEDA PATRICK AND REQUEST
THAT HE BE EXCLUDED AS AN HEIR**

I, Sarah M. Olson, declare and state as follows:

1. I am an attorney at Fredrikson & Byron P.A., counsel for Comerica Bank & Trust, N.A. ("Comerica"), the Personal Representative of the Estate of Prince Rogers Nelson (the "Decedent").

2. I submit this Declaration in support of Comerica's Response to Filings by Ogeda Patrick and Request that He Be Excluded as an Heir.

3. Attached hereto as EXHIBIT A is a copy of an email dated September 7, 2017, from Mr. Patrick to Comerica's counsel requesting genetic testing.

4. Attached hereto as EXHIBIT B is a copy of a letter dated September 8, 2017, from Comerica's counsel to Mr. Patrick regarding his request for genetic testing.

5. Attached hereto as EXHIBIT C is a copy of a letter dated November 28, 2017, from Comerica's counsel to Mr. Patrick informing him that Comerica had determined that he did not qualify for genetic testing.

6. Throughout December 2017 and January 2018, Mr. Patrick contacted me, indicating that he intended to object to Comerica's determination, but that he needed additional time to prepare his objection. Given Comerica's delayed response to Mr. Patrick's Motion and

the Patrick Affidavit, I indicated that Comerica would not object on timing grounds, provided that the objection was filed within a reasonable time. I also asked for facts or other information regarding the basis of his belief that the Decedent is his genetic father, but Mr. Patrick declined to provide that information.

I declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information, and belief.

Dated: March 14, 2018

/s/ Sarah M. Olson
Sarah M. Olson

63510742

Olson, Sarah

From: Ogeda Patrick <ogeda.patrick@outlook.com>
Sent: Thursday, September 07, 2017 12:51 PM
To: Cassioppi, Joseph
Subject: Ogeda Patrick: Request For DNA Testing/RE: Prince Nelson Estate

Hello again, My name is Ogeda Patrick, and in follow-up to our phone call, I have reason to believe that I am the biological descendant of Prince Rogers Nelson. I have only known this for about a week, which is why I am only now contacting to you. I appreciate your cooperation in allowing me this opportunity.

I am a 38 year old African-American male (with possibly some Native American ancestry or another).

I was born on July 15, 1979.

I currently reside in Decatur GA.

My phone number and email are listed below. I am able to travel to be tested and do believe it would be more effective and conducive in resolving this matter.

Again thanks for this opportunity and I look forward to meeting with you soon.

Kindest Regards,

Ogeda Patrick

ogeda.patrick@outlook.com

404-839-3888



September 8, 2017

Mr. Ogeda Patrick
Email: ogeda.patrick@outlook.com

Re: *In re the Estate of Prince Rogers Nelson*
Court File No. 10-PR-16-46

Dear Mr. Patrick:

Our office represents Comerica Bank & Trust N.A., the Personal Representative for the Estate of Prince Rogers Nelson. This letter is being sent in response to your email dated September 7, 2017, requesting DNA testing.

Pursuant to the Court's Order dated May 18, 2017, which I have enclosed herewith, the Court has determined Prince Rogers Nelson's heirs. To the extent you are seeking to challenge that Order and claim heirship, you were required to file an affidavit setting forth the factual basis for your claim within one week of filing your appearance in this case. Please file an affidavit providing answers to the questions in the enclosed questionnaire labeled "Request for Parentage Information," as well as any supporting documentation for your claim, so that the Personal Representative may make a determination regarding your claim of heirship.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily A. Unger", written in a cursive style.

Emily A. Unger
Attorney at Law
Direct Dial: 612.492.7470
Email: eunger@fredlaw.com

EAU/js
Enclosures

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EXHIBIT B

STATE OF MINNESOTA
COUNTY OF CARVER

FIRST JUDICIAL DISTRICT
DISTRICT COURT
PROBATE DIVISION

Court File No. 10-PR-16-46

Estate of Prince Rogers Nelson,
Decedent.

**ORDER DETERMINING
INTESTACY, HEIRSHIP &
M^CMILLAN MATTERS**

The above entitled matter came on before the Court on May 10, 2017, upon various parties' motions for a determination of heirs and intestacy. Appearances were noted on the record.

Now, based upon the arguments of counsel, the file and proceedings, the Court makes the following:

ORDER

Decree of Intestacy

1. Decedent Prince Rogers Nelson died intestate.

Determination of Heirs

2. The heirs of the Estate are determined to be Omarr Baker, Alfred Jackson, Sharon Nelson, Norrine Nelson, John R. Nelson and Tyka Nelson. These are the same individuals that have previously been referred to as the Non-Excluded Heirs.
3. The intent of this Order is to commence the running of the statutory one-year periods pursuant to Minn. Stat. §524.3-412.
4. It is not the Court's intention to prejudice in any way the claim of any person who has made a claim of heirship before this Court, has previously been excluded as an heir by order of this Court, and either has filed an appeal with the Minnesota Court of Appeals or is similarly situated to a person who has commenced an appeal.
5. As to any such claim of heirship properly before the Minnesota Court of Appeals, should the Minnesota Court of Appeals or the Minnesota Supreme Court reverse this Court, or remand the matter back before the District Court for further proceedings, this Court shall

fully consider the claims of those heirs consistent with the direction of the appellate court(s).

6. No distribution of assets of the Estate to the heirs shall be permitted without a formal order of this Court, and no distribution to the heirs will be allowed that may adversely affect the claims of heirship properly before the Court of Appeals or the claims of those similarly situated to a person who has commenced an appeal.

Motion to Quash the Subpoena Duces Tecum served on L. Londell McMillan

7. The motion to quash the Subpoena Duces Tecum served on L. Londell McMillan is GRANTED in all respects except as affirmatively ordered in this Order.
8. On or before June 16, 2017, L. Londell McMillan shall provide to the Personal Representative the following:

All documents in the possession or control of L. Londell McMillan sent by L. Londell McMillan to any Music Business Entity or received by L. Londell McMillan from any Music Business Entity on or after April 21, 2016 relating to Prince Rogers Nelson or any business owned, or partially owned by, Prince Rogers Nelson or his Estate. For the purpose of this Order, terms shall be defined as in Exhibit A to Subpoena Duces Tecum filed as Document 1326 in this proceeding.

L. Londell McMillan to serve as a business advisor to John R. Nelson, Norrine Nelson and Sharon Nelson

9. Comercia Bank & Trust is permitted to disseminate information regarding entertainment industry agreements with L. Londell McMillan, in the scope of his advising one or more of the heirs, regarding any such agreement which is not an amendment or renegotiation of any entertainment industry agreement entered into by the Prince Rogers Nelson Estate prior to January 31, 2017. L. Londell McMillan shall enter into an acceptable non-disclosure agreement before being provided the proposed entertainment industry agreement.

L. Londell McMillan's motion to intervene

10. By letter dated May 2, 2017, L. Londell McMillan moved informally to intervene in the portions of this matter relating to the discharge of the Special Administrator and matters relating to the UMG contract. That motion is respectfully denied.

2. Exhibit B contains a copy of records submitted from Court records

By Order dated May 14, 2017, entered by the Honorable Judge [Name], the Court granted [Name] a writ of habeas corpus. The Court's order is attached to this document as Exhibit B. The Court's order is dated May 14, 2017 and is captioned as follows: [Name] vs. [Name]. The Court's order is attached to this document as Exhibit B.

May 14, 2017

BY THE COURT,
[Name]
Judge of District Court
Page of District Court

NOTICE: A copy and correct copy of this Exhibit B has been served by [Name] upon the parties. It is noted that unless otherwise stated, all documents are sent to the local mailing only.

STATE OF MINNESOTA
CARVER COUNTY

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In Re:

Court File No. 10-PR-16-46

Estate of Prince Rogers Nelson,
Deceased.

**PROTOCOL PRIOR TO
POTENTIAL GENETIC TESTING**

1. The Court, in its May 18, 2016 Order Regarding Claims Pursuant to the Parentage Act and the Probate Code, ruled that that a party claiming a genetic relationship to the decedent that may give rise to heirship must file an affidavit with the Court setting forth the facts that establish the reasonable possibility of the existence of such relationship. In addition, persons having already appeared in the above action claiming to be heirs must provide the Special Administrator (c/o Laura Krishnan at Stinson Leonard Street) with answers under oath by sworn affidavit to the Request for Parentage Information attached hereto as "Exhibit A" no later than June 10, 2016.

2. In addition to complying with the May 18, 2016 Order referenced above in Paragraph 1, persons later appearing in the above action claiming to be heirs must provide the Special Administrator (c/o Laura Krishnan at Stinson Leonard Street) with answers under oath by sworn affidavit to the Request for Parentage Information attached hereto as "Exhibit A" no later than one week after filing an appearance in the action.

3. Within three (3) business days after receiving answers to the Request for Parentage Information from a person claiming to be an heir, the Special Administrator will advise the person in writing of its determination that: (a) the person's familial relationship to the Decedent

is established as a matter of law, with no need for further genetic testing; (b) genetic testing of the person (and potentially others related to the person, including the person's mother) is necessary to determine whether the person may be an heir; (c) the person is precluded from being an heir as a matter of law; (d) additional facts or information are needed; or (e) the person has failed to comply or otherwise fully cooperate with the Special Administrator.

4. To the extent that the person disagrees with the Special Administrator's determination, that person may file an objection with the Court within the later of (a) three (3) business days of receiving the Special Administrator's determination or (b) June 20, 2016. The Court will then rule upon the objection at a hearing dated June 27, 2016, or at such later time determined by the Court.

5. Genetic testing will be performed by DNA Diagnostics Center pursuant to its established procedures and protocols. (Such procedures and protocols are attached hereto as "Exhibit B".) All persons tested will be required to sign a HIPAA Privacy Authorization Form permitting DNA Diagnostics Center and the Special Administrator to release the results of genetic testing in the manner indicated below.

6. The Special Administrator will provide the results of genetic testing to the person(s) subjected to testing, and then served upon all parties and filed with the Court no earlier than three (3) business days thereafter. The genetic testing results shall also be available to be offered as evidence in any proceeding pertaining to the Estate of Prince Rogers Nelson.

Exhibit A**REQUEST FOR PARENTAGE INFORMATION**

Special Administrator Bremer Trust requests that you provide answers to the following questions and requests for information by affidavit signed **under oath**.

1. What is your full name?
2. What is your birth date?
3. Where were you born?
4. Please provide a certified copy of your birth certificate.
5. What are the full names of your biological parents?
6. Were your biological parents married when you were born? (If yes, answer the subparts below.)
 - a. When were your parents married?
 - b. Where were your parents married?
 - c. What was your biological mother's maiden name?
 - d. Please provide a certified copy of your parents' marriage certificate or other proof of marriage.
 - e. Were your parents divorced? If so, please provide the date of the divorce and a certified copy of the divorce decree or other proof of divorce.
7. Were your biological parents married after you were born? (If yes, answer the subparts below.)
 - a. When were your parents married?
 - b. Where were your parents married?
 - c. What was your biological mother's maiden name?
 - d. Did the man who married your biological mother acknowledge his paternity of you in writing filed with a state registrar of vital records?
 - e. Was the man who married your biological mother named as your father on your birth record with his consent?

- f. Was the man who married your biological mother obligated to support you under a written voluntary promise or by court order?
 - g. Please provide a certified copy of your parents' marriage certificate or other proof of marriage.
 - h. Were your parents divorced? If so, please provide the date of the divorce and a certified copy of the divorce decree or other proof of divorce.
8. If your parents were not married when you were born, had they attempted to marry each other by a marriage solemnized in apparent compliance with law, although the attempted marriage is or could be declared void, voidable or otherwise invalid? (If yes, answer the subparts below.)
 - a. What was the date of the attempted marriage?
 - b. Where did the attempted marriage take place?
 - c. Please provide proof of the attempted marriage.
 - d. If the invalid marriage was terminated by death, annulment, declaration of invalidity, dissolution or divorce, please provide the date of the termination and any proof of such termination.
9. If your parents did not marry or attempt to marry, did any man receive you into his home and openly hold you out as his biological child? If yes, please name the man and provide details and other evidence (e.g. sworn statements, photographs, documents) to support your answer.
10. If your parents did not marry or attempt to marry, did any man and your biological mother acknowledge the man's paternity of you in a writing signed by both of them under Minn. Stat. § 257.34 (copy attached) and filed with the state registrar of vital records? If yes, please provide a certified copy of such writing.
11. If your parents did not marry or attempt to marry, did any man and your biological mother execute a recognition of parentage of you pursuant to Minn. Stat. § 257.75 (copy attached)? If yes, please provide a certified copy of such recognition of parentage.
12. Is any other man presumed to be your father under any of the presumptions found in Minn. Stat. § 257.55 (copy attached)? If yes, please provide details, and also whether the other man signed a written consent if your father and mother signed a written acknowledgment of paternity under Request No 10 above.
13. Was your biological mother married to any man other than your biological father when you were born or within 280 days before your birth?

14. Does a judgment or order exist determining a parent and child relationship between you and one or more parents? If so, please provide details and a certified copy of such judgment or order.
15. Detail the actions taken by you to confirm that the responses to the above requests are true and accurate.
16. If you contend additional information is needed or should be considered by the Special Administrator to support your claim to be an heir, please provide such information.

Exhibit B

DNA Parentage-Relationship Testing Overview

DNA Diagnostics Center (DDC) is an ISO/IEC 17025 and AABB accredited laboratory. As such, DDC follows strict testing standards including standardized procedures and quality control throughout the testing process.

DDC is responsible for maintaining chain of custody throughout all phases of the testing process from specimen collection through storage and archiving of case files and samples. DDC handles all samples in such a manner to ensure that they will not be contaminated, tampered with, or substituted.

The collection is performed and witnessed by a competent person that has no interest in the testing outcome. DDC's specimen collectors act as witnesses to the sample collection process, and their name and contact information become part of the laboratory's permanent record.

The person performing the collection will confirm the identity of the person tested and record the stated family relationship. The specimen collector is required to obtain government-issued photo identification of the parties collected to ensure that the sample is collected from the appropriate individual, or in the case of a minor child, written parental or guardian consent. If a minor child is being collected, a parent or legal guardian must sign indicating their relationship to the minor child and provide documentation of that relationship.

In addition, the collected party must verify that the label on the specimen is accurate, and all specimens are sealed in tamper-proof packaging prior to shipment to DDC's laboratory.

The chain of custody form is completed with all required information and adult parties are asked to verify the accuracy of all information prior to sample collection. DDC's chain of custody documentation has been introduced and readily accepted without challenge as an item of evidence in many paternity hearings across the country.

DDC has agreements with several national overnight courier services for the shipment of specimens to its laboratories.

Upon receipt at the laboratory, samples and chain of custody documents are examined for accuracy and completeness. The integrity of sample shipping containers is verified to ensure that no tampering has occurred between the time of sample collection and the time the package arrives at the laboratory. The accessioning technician signs and dates the chain of custody form as an affirmation that the form is complete and that all samples were correctly labeled and received intact. If the integrity of the packaging has been compromised.

When samples are deemed acceptable for testing, the samples and chain of custody forms are bar coded with a unique numerical identifier, logged into the sample tracking database, and the corresponding client data is entered by an accessioning associate. All entry of client data must pass a quality audit prior to samples being processed in the laboratory. This process involves required concordance for duplicate entry by a second individual to ensure samples meet all

acceptance criteria and to confirm accurate data entry for spelling of names, dates of birth, etc. Samples are then submitted to the laboratory for processing. DDC utilizes automated processes and equipment whenever possible.

DDC is committed to providing every client with accurate, thorough, and expedient paternity test results. DDC provides its clients with DNA testing performed using PCR (Polymerase Chain Reaction) technology and STR (Short Tandem Repeat) markers for routine analysis. DDC has been using STR technology since 1997, having conducted testing on over eight million samples (8,000,000) to date. This technology is approved by the AABB and is by far the most prevalent DNA testing methodology currently in use by AABB accredited laboratories.

DDC was commended by the AABB in 2004 for being the first laboratory to truly offer double blind testing. DNA Diagnostics Center is the only DNA testing laboratory that performs every test twice, testing every genetic system in duplicate, not just exclusions, and not just a subset of the genetic markers. Our Dual Processing™ procedures ensure that each sample is tested in duplicate. Every sample is bar coded then independently logged-in, extracted, processed, and all genetic systems are analyzed twice by two separate teams.

All STR markers employed by DDC for its routine parentage testing are commercially available, and their performance characteristics are well understood, reproducible, validated, and accepted by the scientific and legal communities. In total, DDC has thirty-six (36) validated and commercially available STR systems (including Amelogenin) which will be deployed as necessary to ensure that tests completed will achieve a guaranteed minimum probability of paternity of 99.9% for standard cases though the majority of standard cases will have an average probability of paternity of 99.999999%.

For cases that involve in-direct relationship testing including avuncular, single grandparentage and Siblingship (full –siblingship & half- siblingship) tests will provide a statistical likelihood that gives evidence to support the tested relationship. A test of this nature also will not directly exclude the relationship. However, the test can give the odds of the relationship based on the purported relationship and the systems tested. If a sufficient number of in-direct relatives (aunt/uncle, sibling, grandparent) are tested (3 or more), the alleged common relative's profile can be reconstructed and the test can be just as informative as a direct paternity test. This test is called a Family Reconstruction case.

Second degree relationship tests, Avuncular Tests (Uncle/Aunt), Single Grandparentage and Half-siblingship , are tests that can be utilized to show a relationship to the Child if there is only this one living (or available) relative of the child (the alleged father and one paternal grandparent is deceased). A true Biological Uncle (Aunt), grandparent, or half-sib, will share ! of their DNA with the child. Our test evaluates how frequently these two parties share alleles as compared to a random person in the population (random sharing). The results of this test tell you the strength of the evidence that would support the relationship that is evaluated. For this reason, it is essential to clearly define the relationship in question and how the tested parties are related. Testing of the Mother is always recommended when evaluating a paternal relationship. The mother helps to define the obligatory allele (the allele that must come from the Biological Father).

If a Paternal Uncle, Paternal Grandfather or Paternal (male) Half-sibling is tested with a male child, YSTR testing can also be considered. Y STR testing exams of the male-specific contribution to the child. A father will pass his Y chromosome to his son unchanged with the exception of a possible mutation. Since the Y chromosome in any paternal line will be identical, the unrelated Alleged relative can be excluded directly by this test. YSTRs can also be combined with autosomal STRs (used in our standard paternity and kinship case) to increase the likelihood odds for testing involving male relatives in the paternal line.

If there is a suspected Maternal relationship among tested relatives, Mitochondrial testing can also be considered. Mitochondrial testing exams of the maternal-specific contribution to the child. A mother will pass her mitochondria to her off-spring unchanged again with the exception of a possible mutation. Since the Mitochondria in any Maternal line will be identical, the unrelated Alleged relative can be excluded directly by this test. The Mitochondrial testing can also be combined with autosomal STRs (used in our standard paternity and kinship case) to increase the likelihood odds for testing involving maternally related relatives.