



June 20, 2018

VIA E-FILING

The Honorable Kevin W. Eide
Judge of the District Court
Carver County Justice Center
604 East 4th Street
Chaska, MN 55318

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

Dear Judge Eide:

We write in response to Sharon, John, and Norrine Nelsons' ("the Nelsons") request to bring a motion for reconsideration of the Court's May 9, 2018 Order approving the settlement with the Tidal entities.

Under General Rule of Practice 115.11, "motions to reconsider are prohibited except by express permission of the court, which will be granted only upon a showing of compelling circumstances." Motions for reconsideration are appropriate only in very rare circumstances. *See* Cmt. to Minn. R. Gen. P. 115.11 (stating that "[m]otions for reconsideration play a very limited role in civil practice" and "should be approached cautiously and used sparingly"). They should only be granted "where intervening legal developments have occurred (*e.g.*, enactment of an applicable statute or issuance of a dispositive court decision) or where the earlier decision is palpably wrong in some respect." *Id.*

The Nelsons fail to raise any issue that merits reconsideration. The Nelsons' request is based on accusations about Tidal reported in one newspaper article in Norway over six weeks ago. The Nelsons' letter fails to acknowledge that Tidal has denied the allegations as "lies and falsehoods," and has stated that information "was stolen and manipulated." Unproven media reports do not constitute an "intervening legal development," or demonstrate that the Court's Order was "palpably wrong in some respect." *See* Cmt. to Minn. R. Gen. P. 115.11. Moreover, the Nelsons fail to explain how unsubstantiated media reports about Tidal bear in any respect on the settlement, and they do not.

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The Nelson's request is also moot. After the Court granted the Personal Representative's motion and approved the proposed settlement (in fact noting in its May 9, 2018 Order & Memorandum that, "at its core, this is a settlement involving the resolution of litigation in both the State and Federal Courts"), the parties executed the agreement and dismissed the claims that had been made in this proceeding and in the federal action. On May 22, 2018, the federal court entered judgment dismissing the Personal Representative's claims against the Tidal entities with prejudice. The Nelsons offer no explanation how a request for "reconsideration" could effectively wind back the clock, either in this lawsuit or the federal case. The Nelsons seem to acknowledge this in their letter, but nonetheless invite the Court to take action "[t]o the extent the Court can do anything." Simply put, the Court cannot "do anything," and certainly cannot reopen litigation that has been dismissed with prejudice in two forums.

The Nelsons' request is meritless and should be denied.

Respectfully submitted,

/s/ Lora M. Friedemann

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