

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CARVER

FIRST JUDICIAL DISTRICT  
PROBATE DIVISION

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In the Matter of:

Court File No. 10-PR-16-46

Judge Kevin W. Eide

Estate of Prince Rogers Nelson

Decedent.

**MEMORANDUM IN SUPPORT OF  
SECOND SPECIAL ADMINISTRATOR'S  
MOTION TO FILE MEMORANDUM AND  
DECLARATION SUPPORTING MOTION FOR  
REFUND OF FEES UNDER SEAL**

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Pursuant to Minn. Stat. § 524.3-617 and the Court's letters of special administration dated August 18, 2017, Peter J. Gleekel and Larson • King, LLP were appointed the Second Special Administrator of Decedent's estate. By this Court's February 2, 2018 Order, the authority of the Second Special Administrator was expanded. On June 14, 2018, this Court issued an Order & Memorandum Approving Litigation, allowing the Second Special Administrator "to pursue, on behalf of the Estate, all claims recommended in its reports."

The Second Special Administrator, on behalf of the Estate, intends to bring a motion for a refund of the commissions paid to the expert entertainment advisors CAK Entertainment, Inc./Charles Koppelman and North Star Enterprises Worldwide, Inc./L. Londell McMillan in conjunction with the terminated Jobu Presents Agreement and Court-ordered, rescinded UMG Agreement. Pursuant to Minnesota Statute Section

524.3-721, this Court is vested with the equitable power to order a refund of the overpayment of unreasonable compensation to any person who has performed services on behalf of the Estate.

The Second Special Administrator intends to file a publicly-available, redacted version of its Memorandum supporting the motion, but seeks to file an un-redacted version under seal. In addition, the exhibits attached to the Declaration should be filed under seal in their entirety, as redactions of such exhibits are futile as the entire contents of those exhibits are confidential. For example, the exhibits submitted with the motion include the Advisor Agreements with Koppelman and McMillan; the Second Special Administrator's prior reports, which were filed under seal; agreements with Warner Brothers; an agreement with Jobu; a promissory note; and numerous emails referencing confidential financial and confidential business information related to these agreements and the affairs of the Estate. The redactions in the Memorandum contain citations to, and quotes from, these confidential exhibits. As a result, the Second Special Administrator has filed a motion to file the un-redacted version of the Memorandum and the entire Gleekel Declaration and supporting exhibits under seal.

The Memorandum, the Gleekel Declaration and exhibits thereto refer to the Estate's confidential business records and information that is entitled to protection. The filing of the un-redacted version of the Memorandum, the Gleekel Declaration and exhibits under seal is appropriate and necessary to maintain confidentiality. Indeed, certain agreements and other business records that are attached to the Gleekel Declaration

have already been sealed by this Court. Specifically, the redacted and sealed information qualifies as confidential commercial information under Minn. R. Civ. P. 26.03(g) and there is no historical right of access to the information under the test articulated in *Minneapolis Star & Tribune Cl. v. Schumacher*, 392 N.W.2d 197 (Minn. 1986). Revealing the confidential information contained in the Memorandum and exhibits could adversely impact the ongoing administration of the Estate.

Accordingly, the Second Special Administrator respectfully requests that this Court issue an Order allowing the un-redacted version of the Memorandum, and the Gleekel Declaration and exhibits thereto be filed under seal.

Date: September 4, 2018

LARSON • KING, LLP

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**SECOND SPECIAL ADMINISTRATOR**