

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
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 TO SHOW CAUSE REGARDING
THE TAXATION OF ATTORNEY FEES**

On December 18, 2017, the Court issued its Findings of Fact, Conclusions of Law & Order Denying the Petition to Permanently Remove Comerica Bank & Trust, N.A. as Personal Representative. In that Order, the Court is critical of filing the Petition for Removal for the reasons stated therein. In the Order, the Court directed the Personal Representative to submit to the Court a statement of its attorneys fees that were in direct response to the Petition to remove Comerica. The attorneys for Comerica submitted a bill for their attorneys fees in the amount of \$148,540.

In response, counsel for Sharon, John and Noreen Nelson submitted argument that (1) the Court has failed to make the necessary findings to award Comerica payment of their attorney fees; (2) the fees that are enumerated are excessive or unnecessary; and (3) the manner of stating the attorney fees are block billings with vague descriptions that do not assist the Court in determining whether the work was necessary.

In reviewing the procedure followed so far by the Court, the Court has erred in not following the procedure outlined in Minn. Stat. §529.211, Subd. 4(b) or in Rule 11.03(a)(2) of the Minnesota Rules of Civil Procedure. To remedy this procedural error, the Court makes the following:

ORDER

1. Sharon Nelson, John Nelson and Noreen Nelson are hereby ordered to show cause why they have not violated Minn. Stat. §549.211, Subd. 2 and Rule 11.02 of the Minnesota Rules of Civil Procedure. The Court is mindful that the attorneys for Sharon, John and Noreen Nelson have filed SJN's Objection to Comerica's Attorney's Fees on January 26, 2018 and they may advise the Court that they do not wish to file anything further in response to this Order to Show

Cause. Sharon, John and Noreen Nelson shall file their response to this Order to Show Cause or their statement that they do not wish to file anything further no later than February 21, 2018.

BY THE COURT:

Dated: February 7, 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.