

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In Re:

ESTATE OF PRINCE ROGERS NELSON,
DECEDENT,

Case Type: Special Administration
Court File No: 10-PR-16-46
Judge: Kevin W. Eide

SHARON, NORRINE AND JOHN
NELSON'S OBJECTIONS TO
COMERICA BANK & TRUST'S
PETITION FOR DISCHARGE FROM
LIABILITY AND TO APPROVE
INTERIM ACCOUNTING

Sharon Nelson, Norrine Nelson and John Nelson (collectively "SNJ" or "Objectants"), by admission *pro se*, state:

1. SNJ are interested persons as defined by Minnesota law because they are heirs to the Estate of Prince Rogers Nelson (the "Estate").

2. On September 7, 2018, the Personal Representative of the Estate, Comerica Bank & Trust, N.A. ("Comerica") filed a "Petition to Approve Supplemental Inventory and Interim Accounting" and a draft order requesting that this Court issue an order finding that, "the Petitioner has complied with all orders and decrees of the Court and with the provisions of law applicable to this Estate and to Petitioner as Personal Representative of the Estate, and has fully discharged its duties as personal Representative through January 31, 2018...", and that "Comerica Bank & Trust, N.A. and its agents are discharged from any and all liability associated with its administration of the Estate from February 1, 2017, through January 31, 2018." (The "Petition").

3. In addition to its Petition seeking to be discharged, Comerica also submitted an "Interim Accounting for its continuous administration of the Estate beginning February 1, 2017, through January 31, 2018 (the "Interim Period")" (the "Interim Accounting"), allegedly setting forth the details of Comerica's administration of the Estate by Comerica throughout the Interim

Period, as well as a “Supplemental Inventory of the assets of the Estate held by Petitioner during the Interim Period” (the “Supplemental Inventory”). Both the Interim Accounting and the Supplemental Inventory were filed publicly in redacted form.

4. Comerica’s Petition seeking discharge is improper and premature for the following reasons:

- a. There are a number of legal matters, mediations, and litigation upcoming that will encompass the “Interim Period” for which Comerica seeks discharge from liability and that will highlight a number of potentially improper actions including, but not limited to, claims of mismanagement and breach of fiduciary duties related to: (1) the UMG Rescission; (2) the removal of the Prince catalogue and assets from Paisley Park; (3) the unnecessary intervention and expenditure of the Estate expenses on the Jobu Presents tribute concert; (4) the excessive expenses paid to consultants and advisors of the Estate especially Troy Carter (and his staff). Mr. Carter has recently been in the news regarding a ten million dollar debt to Lady Gaga and we seek a full investigation into whether Comerica has properly provided oversight to protect the Estate; (5) the creation of new assets not existing in the Estate which are rights belonging to the Heirs (such as the creation of a new website); and (6) Comerica’s failure to timely and expeditiously seek a final payout figure and full payment of both, the federal and state taxes as requested by SNJ as the priority.
- b. Regarding the Interim Accounting, Comerica failed to properly oversee, direct, manage or police the accountants involved in the submitted Interim Accounting and Supplemental Inventory. It is our understanding that the interim accountant Clifton Larson Allen has now been terminated and the Heirs have not yet been apprised of the reason for such termination.

- c. Given the objections, disagreements and upheaval that have occurred between the Heirs and Comerica since Comerica was appointed as Personal Representative, a discharge of any and all liability associated with its administration of the Estate would be unfair to the Heirs and not in the best interests of the Estate.
- d. Comerica's decision to use the Estate as a blank check to incur substantial legal fees against legitimate claims of the Heirs (who Comerica owes a fiduciary duty to the Estate) and smaller parties and individuals, yet Comerica failed and chose to not incur such legal costs in matters such as defending the UMG Agreement (and funds) or Roc Nation.

5. SNJ also object to the discharge due to Comerica's systemic and continuing lack of disclosure and transparency. For example, Comerica's request for discharge on September 7th and the corresponding proposed order were titled merely "Petition to Approve Interim Accounting." Nowhere in the title or initial introduction is the request to discharge mentioned, resulting in inadequate notice to SNJ. As mention earlier, Comerica has failed to provide the Heirs the basis for terminating the accounting firm Clifton Larson Allen. Further, Comerica's history of failing to provide full disclosure to the Heirs in the past now requires SNJ to spend additional time in order to analyze the submitted Interim Accounting and Supplemental Inventory for full reporting and accuracy.

6. This Court's experience with the potential discharge of the former Special Administrator, Bremer Trust ("Bremer"), strongly supports the denial of Comerica's Petition as well. As Bremer is not yet discharged, neither should Comerica be at this time. Initially, on April 5, 2017, the Court discharged Bremer "from any and all liability associated with its Special Administration of the Estate." However, upon learning from a submission by the Heirs of potential pending litigation, the Court suspended the discharge of Bremer, as of April 12, 2017.

Similarly, there now is litigation pending involving Comerica with regard to the UMG Rescission (the decision by Comerica to reverse course and rescind an agreement previously approved by Bremer and returning \$31 million that had been paid to the Estate under that agreement). As was the case with Bremer's attempted discharge, previously undisclosed breaches of Comerica's fiduciary duty and other revelations regarding its work done as Personal Representative may come to light during these legal proceedings. There should be no double standard now to benefit Comerica and their advisors.

7. SNJ object to the discharge of Comerica for "any and all liability associated with its administration of the Estate during the Interim Period" to the extent that it would limit and impact other interested third parties' ability to assert rights against Comerica, including rights to bring claims which those third parties may choose to assert against Comerica for its role as Personal Representative of the Estate especially on the eve of pending litigation related to the Estate.

8. Lastly, unlike fierce objection made against Bremer by others, SNJ have been unfairly scolded and have attempted to disclose improper actions made by Comerica and their advisors to this Court, to no avail. Each claim made by SNJ was in good faith and not to assert control of the Estate, but rather to protect the Estate assets, pay the taxes and close the Estate promptly (given our age); the same is made with this objection to Comerica's premature discharge.

Dated: September 20, 2018

By: 
Sharon Nelson, Norrine Nelson & John Nelson