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STATE OF MINNESOTA  
COUNTY OF CARVER

DISTRICT COURT  
FIRST JUDICIAL DISTRICT  
PROBATE DIVISION

In Re: Estate of Prince Rogers Nelson,

Court File No. 10-PR-16-46

Decedent.

**PROPOSED JOINT  
DISCOVERY PLAN**

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In accordance with Rule 26.06 of the Minnesota Rules of Civil Procedure, counsel for Roc Nation LLC (“Roc Nation”), for itself and on behalf of its affiliated organizations Project Panther, Ltd. (“Project Panther”), Aspiro AB (“Aspiro”), and WiMP Music AS (“WiMP” and collectively with Aspiro, Project Panther, and Roc Nation, the “Petitioners”) and counsel for Comerica Bank & Trust, N.A., in its capacity as Personal Representative (the “Personal Representative”) for the estate of Prince Rogers Nelson (the “Decedent”) conferred by telephone and have discussed the nature and basis of their claims and defenses, the possibilities for a prompt settlement or resolution of the case, and developed a proposed joint discovery plan. After conferring, counsel for Petitioners and the Personal Representative agree to the following:

1. **Rule 26.01(a) disclosure deadline.** Petitioners and the Personal Representative agree to make Rule 26.01(a) disclosures on or before April 19, 2017.
2. **Discoverable Issues.** The issues on which the parties need to conduct discovery are: the claims and defenses in the parties’ pleadings.

Petitioners

Petitioners anticipate that discoverable issues will include: (i) Breach of Petitioners’ contractual rights under the Artist Equity Term Sheet, dated July 19, 2015 (the “Equity Term Sheet”), by the estate of the Decedent (the “Estate”), including in relation to Petitioners’ exclusive right to promote, advertise, or market the streaming of Decedent’s music by using his name and likeness for a period of five years and Decedent’s representations and warranties that he had the full right, power, authority, and capacity to grant Petitioners the aforementioned rights; (ii) actual and/or anticipated breach of Petitioners’ contractual rights under the Equity Term Sheet, including in relation to Petitioners’ right to stream (on a 90 day exclusive basis) and distribute one additional newly recorded and previously unreleased full-length studio album by Decedent; (iii) Petitioners’ longstanding and substantial course of dealing with the Decedent and his related entities; (iv) the terms of the Personal Representative’s, or its predecessor, Bremer Trust, N.A.’s, agreements and/or business arrangements with any parties regarding the digital streaming of musical assets previously controlled and owned by entities associated with the Decedent; (v) the ability of certain of Petitioners to offer the Decedent’s musical works for digital streaming on the TIDAL streaming service and to distribute records containing Decedent’s musical compositions; and (vi) any defenses asserted by the Personal Representative.

The Personal Representative

The Personal representative anticipates that discovery will include: (i) acceptance and validity of the alleged Artist Equity Term Sheet; (ii) validity of the July 23, 2014 Power of Attorney; (iii) performance of the alleged Artist Equity Term Sheet; (iv) alleged agreements between the parties created orally or through a “course of dealing;” (v) the relationship between the Petitioners; and (vi) Petitioners’ alleged damages.

3. **Discovery Deadline.** All factual discovery shall be completed by October 15, 2017 and all expert discovery shall be completed by April 16, 2018.
4. **Motion Deadlines.** All dispositive and non-dispositive motions shall be filed by June 18, 2018.
5. **Rule 35 Examinations, and Reports.** Independent medical examinations shall be completed by N/A.
6. **Disclosure of Expert Testimony.** The parties shall make those expert disclosures required by Rule 26.01(b) as follows:
  - a. **The identity of any expert who may testify at trial regarding issues on which the party has the burden of persuasion must be disclosed on or before:**  
November 15, 2017.
  - b. **The initial expert written report completed in accordance with Minn. R. Civ. P. 26.01(b)(4)(A) must be served on or before:**  
December 21, 2017.
  - c. **The identity of any expert who may testify in contradiction of or rebuttal to any expert who submitted an initial expert written report as referred to above must be disclosed on or before:**  
January 15, 2018.
  - d. **Any expert’s written report completed in accordance with Minn. R. Civ. P. 26.01(b)(4)(B) must be served on or before:**  
February 15, 2018.
7. **Deadline to Join Other Parties.** The parties shall have until July 1, 2017 to move to join additional parties, though this provision will not prevent the parties from seeking leave under Rule 15 to join other parties.
8. **Deadline to Amend the Pleadings.** The parties shall have until July 1, 2017 to move to amend the pleadings to add additional claims or defenses, though this provision will not prevent the parties from amending as of right or seeking leave to amend the pleadings to the extent otherwise permitted by Rule 15.

9. **Electronically Stored Information.** The parties anticipate that discovery will involve the production of electronically stored information and have agreed to incorporate the Order Regarding Discovery Of Hard Copy And Electronically Stored Information in a related action between the parties styled *NPG Records, Inc. and NPG Music Publishing, LLC v. Roc Nation LLC and Aspiro AB*, Case No. 16-cv-03909-JRT-FLN, United States District Court for the District of Minnesota (ECF No. 40) (the “Federal Court Matter”).
10. **Claims of Privilege or Trial-Preparation Protection.** To the extent privileged material is withheld by the parties, they will provide the information required by Rule 26. The parties also agree to incorporate in this matter the parties’ Protective Order in the Federal Court Matter.
11. **Limitations on Discovery / Use of Discovery in Federal Court Matter.** The parties agree that the use of specific discovery devices (inclusive of document requests and interrogatories) shall be governed by the Minnesota Rules of Civil Procedure. The parties further agree that all discovery obtained in the Federal Court Matter may be used and introduced in the instant matter, subject to the parties’ reservation of all objections to the introduction of such discovery as evidence.
12. Trial of this case will be by jury.
13. The estimated length of trial is 8-10 days.
14. The parties agree that the case will be ready for trial on or after September 17, 2018.
15. The parties propose that the final pretrial conference be held on or before August 17, 2018.

Dated: April 12, 2017

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Dated: April 12, 2017

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