



STINSON
LEONARD
STREET

November 1, 2016

Via Email

Ryan Dodge
lmbd@frontiernet.net

Re: Ryan Dodge Heirship Claim

Dear Mr. Dodge:

Thank you for submitting your response to the Request for Parentage Information.

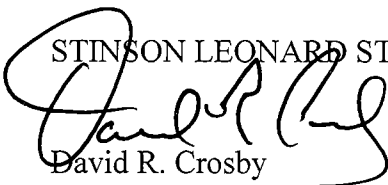
With respect to the Protocol adopted by the Court, the Special Administrator's goal is to apply existing Minnesota law equally to all persons claiming to potentially be an heir of Prince Rogers Nelson (the "Decedent"). Such relevant law includes the Minnesota Probate Code (Minn. Stat. Ch. 524), the Minnesota Parentage Act (Minn. Stat. §§ 257.01 through 257.75) and Minnesota common law.

The materials you provided were not under oath, as required by the Protocol adopted by the Court. However, even if you had complied with the Protocol's requirements, the materials you provided do not establish a reasonable possibility that sexual contact occurred between your mother and the Decedent that would give rise to a claim that you are a child of the Decedent. Furthermore, your materials state that Jeffrey W. Dodge is your biological father.

Based on the facts you have alleged, there is insufficient competent evidence that the requisite sexual contact occurred between the Decedent and your mother around the time of your conception. In addition, Minnesota law conclusively recognizes Jeffrey W. Dodge to be your biological father. Under these circumstances and the Court's rulings as to other potential heirs (attached), it is the Special Administrator's determination that the evidence you have presented is insufficient to warrant genetic testing.

Very truly yours,

STINSON LEONARD STREET LLP



David R. Crosby

DRC:mp
Enclosure

STATE OF MINNESOTA
COUNTY OF CARVER

FILED
AUG 11 2016
CARVER COUNTY COURTS

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION
Case Type: Special Administration

Court File No. 10-PR-16-46

In the Matter of the Estate of:

Prince Rogers Nelson,

Decedent.

**AMENDED ORDER REGARDING
GENETIC TESTING PROTOCOL AND
HEIRSHIP CLAIMS FOLLOWING THE
JUNE 27, 2016 HEARING AND
JUDGMENT**

The Court filed an ORDER REGARDING GENETIC TESTING PROTOCOL AND HEIRSHIP CLAIMS FOLLOWING THE JUNE 27, 2016 HEARING AND JUDGMENT on July 29, 2016. In that Order, the Court excluded a number of persons because they were claiming to be an heir of the Decedent who had a lower priority than a sibling or a half-sibling and, therefore, would be excluded as an heir as a matter of law. The Court erred in including Nicole White, Claire Boyd, Michael Darling and Maurice Soledad in the group of persons that were excluded as heirs.

Maurice Soledad has not claimed to be an heir of the Estate. Rather he claims a financial interest as a creditor based upon promises made by the Decedent. His claims are not ruled upon in this Order and will not be addressed at this time. The claims of Nicole White, Claire Boyd and Michael Darling will be addressed separately later in this Order. All other Findings, Conclusions and Orders remain the same and have not changed since the filing of the Order on July 29, 2016.

On May 6, 2016, this Court filed an Order Authorizing Genetic Testing of the Decedent's Blood. In a separate Order Regarding Claims Pursuant to the Parentage Act and Probate Code, filed May 18, 2016, the Court permitted the genetic testing of those claiming to be an heir of the Decedent, but subject to a genetic testing protocol that was to be developed by the Special

Administrator. Finally, on June 6, 2016, the Court filed an Order Approving Protocol, where the Court approved the protocol for genetic testing. In both the May 18, 2016 and the June 6, 2016 Orders, the Court stated that any party wishing to bring a motion before the Court regarding, or wishing to object to, the Court's Order Regarding Claims Pursuant to the Parentage Act and Probate Code or the Order Approving Protocol could have those motions or objections heard before this Court on June 27, 2016 at 8:30 a.m.

On June 27, 2016, the Court conducted the aforementioned hearing. Appearances were noted on the record. Prior to the hearing, the Court had received the Objection to proposed Order Regarding Claims Pursuant to the Parentage Act and Probate Code filed on May 17, 2016 by Darcell Gresham Johnston; the Objection to Order Regarding Claims Pursuant to the Parentage Act and Probate Code filed on May 18, 2016 by Carlin Q. Williams; the Objection to Special Administrator Request for Order Regarding Claims Pursuant to Parentage Act and Probate Code filed on May 23, 2016 by Brianna Nelson and V.N.; the Memorandum of Law in Support of Darcell Gresham Johnston's Objection to Protocol Prior to Genetic Testing filed on June 20, 2016; the Special Administrator's Memorandum of Law in Response to Darcell Gresham Johnston's Objection to Protocol Prior to Genetic Testing filed June 24, 2016; and Sharon Nelson, Norrine Nelson, and John Nelson's Joinder in Special Administrator's Response to Darcell Gresham Johnston's Objection to Protocol Prior to Genetic Testing filed June 24, 2016.

At the close of the June 27, 2016 hearing, the Court gave the parties until July 15, 2016 to submit any additional written argument. The Court received the Objections to the Protocol Prior to Potential Genetic Testing and the Special Administrator's Determination Pursuant thereto on the Claim of Estabon Bennermon filed on July 7, 2016. On July 15, 2016, the Court received the Supplemental Memorandum of Law in Support of Venita Jackson Leverette's Objection to

Protocol Prior to Genetic Testing; the Special Administrator's Supplemental Memorandum of Law Regarding Protocol Prior to Genetic Testing and Affidavit of David R. Crosby Regarding Protocol Prior to Genetic Testing; the Supplemental Memorandum of Law in Support of Darcell Gresham Johnston's Objection to Protocol Prior to Genetic Testing and Affidavit of Cameron M. Parkhurst; the Petition Heirs' Joint Memorandum of Law in Response to Objections to Protocol Prior to Genetic Testing and Affidavit of Tyka Nelson Regarding Protocol Prior to Potential Genetic Testing; and the Supplemental Objection of Brianna Nelson and V.N. to the Protocol Prior to Potential Genetic Testing Proposed by the Special Administrator.

FACTUAL HISTORY

Prince Rogers Nelson was born on June 7, 1958. His Certificate of Birth lists his parents as Mattie Della (Shaw) and John L. Nelson. Mattie Della Shaw and John L. Nelson were married on August 31, 1957, and were divorced on September 24, 1968. In the Findings of Fact, Conclusions of Law and Order for Judgment in the marriage dissolution proceeding, Prince Rogers Nelson was adjudicated a child of Mattie Shaw and John L. Nelson. Tyka Nelson was also adjudicated a child of Mattie Shaw and John L. Nelson. John L. Nelson died on August 25, 2001. In the Estate of John L. Nelson, Prince Rogers Nelson was adjudicated a person of interest as an heir and was qualified to serve as the Personal Representative of the Estate. Probate records also identify Lorna Nelson, Sharon Blakely, Norrine Nelson, John R. Nelson and Tyka Nelson as the children of John L. Nelson.

The Petition for Formal Appointment of Special Administrator alleges that the following persons are the siblings or half-siblings of Prince Rogers Nelson: John Nelson, Norrine Nelson, Sharon Nelson, Alfred Jackson, Omar Baker, Lorna Nelson (predeceased, leaving no children) and

Tyka Nelson. The Court is not aware of any objection or dispute with the statement that these persons are the siblings or half-siblings of Prince Rogers Nelson. This does not exclude the possibility that others may also be a sibling or half-sibling of Prince Rogers Nelson.

Several persons have come forward claiming to be a child of Prince Rogers Nelson.

Several persons have come forward claiming to be a sibling or half-sibling of Prince Rogers Nelson, claiming that John L. Nelson was not the genetic father of Prince Rogers Nelson and claiming that he or she (or his or her deceased parent) has a common father with Prince Rogers Nelson.

CASE LAW AND STAUTORY HISTORY

RELEVANT MINNESOTA STATUTES

524.1-201 GENERAL DEFINITIONS, provides in the relevant provisions:

Subject to additional definitions contained in the subsequent articles which are applicable to specific articles or parts, and unless the context otherwise requires, in chapters 524 and 525:

- (1) "Adoptee" means an individual who is adopted.
- (5) "Birth mother" means a woman who gives birth to a child, including a woman who is the child's genetic mother and including a woman who gives birth to a child of assisted reproduction. "Birth mother" does not include a woman who gives birth pursuant to a gestational agreement.
- (6) "Child" includes any individual entitled to take as a child under law by intestate succession from the parent whose relationship is involved and excludes any person who is only a stepchild, a foster child, a grandchild or any more remote descendant.
- (22) "Genetic father" means the man whose sperm fertilized the egg of a child's genetic mother. If the father-child relationship is established under the presumption of paternity under chapter 257, "genetic father" means only the man for whom that relationship is established.
- (23) "Genetic mother" means the woman whose egg was fertilized by the sperm of a child's genetic father.
- (24) "Genetic parent" means a child's genetic father or genetic mother.

524.2-103 SHARE OF HEIRS OTHER THAN SURVIVING SPOUSE, provides in the relevant provisions:

Any part of the intestate estate not passing to the decedent's surviving spouse under section 524.2-102, or the entire intestate estate if there is no surviving spouse, passes in the following order to the individuals designated below who survive the decedent:

- (1) to the decedent's descendants by representation;
- (2) if there is no surviving descendant, to the decedent's parents equally if both survive, or to the surviving parent;
- (3) if there is no surviving descendant or parent, to the descendants of the decedent's parents or either of them by representation;

Until its amendment in 2010, **524.2-114 MEANING OF CHILD AND RELATED TERMS**, provided in the relevant provisions:

If, for purposes of intestate succession, a relationship of parent and child must be established to determine succession by, through, or from a person:

- (2) In cases not covered by clause (1), a person is the child of the person's parents regardless of the marital status of the parents and the parent and child relationship may be established under the Parentage Act, sections 257.51 to 257.74.

In 2010, this language was deleted from the statute and no other language was added to assist the Court determining the existence of a parent child relationship under the probate code.

524.2-116 EFFECT OF PARENT-CHILD RELATIONSHIP, provides:

Except as otherwise provided in section 524.2-119, subdivisions 2 to 5, if a parent-child relationship exists or is established under this part, the parent is a parent of the child and the child is a child of the parent for the purpose of intestate succession.

524.2-117 PARENT-CHILD RELATIONSHIP WITH GENETIC PARENTS, provides:

Except as otherwise provided in section 524.2-114, 524.2-119, or 524.2-120, a parent-child relationship exists between a child and the child's genetic parents, regardless of the parents' marital status.

524.2-119 ADOPTEE AND ADOPTEE'S GENETIC PARENTS.

Subdivision 1. **Parent-child relationship between adoptee and genetic parents**, provides in the relevant provisions:

Except as otherwise provided in subdivisions 2 to 5, unless otherwise decreed, a parent-child relationship does not exist between an adoptee and the adoptee's genetic parents.

257.52 PARENT AND CHILD RELATIONSHIP DEFINED, provides:

