

Fredrikson

& BYRON, P.A.

February 25, 2019

VIA E-FILING

The Honorable Kevin W. Eide
Judge of the District Court
Carver County Justice Center
604 East 4th Street
Chaska, MN 55318

REDACTED VERSION

Re: *In re the Estate of Prince Rogers Nelson*
Court File No. 10-PR-16-46

Dear Judge Eide:

We are writing on behalf of Comerica Bank & Trust, N.A. as Personal Representative of the Estate to object to the requests made by Mr. Lythcott's counsel, Mr. Madel, in his February 22, 2019 letter to the Court.

Mr. Lythcott has admitted disseminating confidential Estate information to third parties. This is a violation of his non-disclosure agreement [REDACTED]

[REDACTED] Mr. Lythcott has served as an advisor to certain Heirs but was never appointed as an Heirs Representative by the Court, so his "status" as an Heirs' Representative cannot be restored as he requests. Furthermore, any request that his access to confidential Estate information be restored is premature, as Comerica has not yet ascertained the full extent of Mr. Lythcott's breaches of his non-disclosure agreement.

On February 13, 2019, the Court ordered Mr. Lythcott to "provide counsel for Comerica all communications and related documents with any third-parties . . . that included confidential information that belongs to the Estate" within ten days. The Court's Order is unambiguous. It does not provide for *in camera* review, nor does it permit Mr. Lythcott to recover fees incurred in complying with the Court's Order. In short, there is no basis for Ms. Lythcott's requests and no need for a hearing or briefing schedule.

It is unclear whether Mr. Lythcott produced documents to the Court on Friday as Mr. Madel indicated in his letter. Mr. Madel's letter also indicated that Mr. Lythcott would be producing additional documents by March 7, which is almost two weeks after the Court's deadline. We just received a production from Mr. Lythcott late this afternoon, but have not yet had an opportunity to review it. To the extent documents covered by the Court's Order are being withheld, we will seek appropriate remedies.

Attorneys & Advisors
main 612.492.7000
fax 612.492.7077
www.fredlaw.com

Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, Minnesota
55402-1425

The Honorable Kevin Eide
February 25, 2019
Page 2

Respectfully submitted,

/s/ Joseph J. Cassioppi

Joseph J. Cassioppi

Direct Dial: 612.492.7414

Email: jcassioppi@fredlaw.com

66008845.1

EXHIBIT A

EXHIBIT B

REDACTED

EXHIBIT C

Cassioppi, Joseph

From: Michael Lythcott <michael@lythcott.com>
Sent: Tuesday, February 12, 2019 9:11 AM
Subject: Request for Return and Disclosure of Stolen Documents

To Whom it May Concern

It has come to my attention that you may be in possession of internal documents that were recently stolen from the legal "virtual" data room of Omarr Baker. In violation of the terms of service of said digital data room, that was provided to the law firms of J. Selmer Law and White Wiggins & Barnes, LLP, and the lawyers Ward White, Kennedy Barnes and James Selmer and Marc M. Berg who have admitted to taking the court presentation materials from Omarr Baker (Pro Se) who is representing himself in a probate case to which he is a party.

Since I facilitated White Wiggins & Barnes, LLP access to Mr. Baker's files; I am in part contractually responsible for the damages caused by J. Selmer Law and White Wiggins & Barnes, LLP, and the lawyers Ward White, Kennedy Barnes and James Selmer and Marc M. Berg to Mr. Baker.

Please be advised if you have received any files or information from these individuals relating to Omarr Baker or the Estate of Prince Rogers Nelson- return them to Mr. Baker immediately, as they are highly confidential and are the property of Mr. Baker or other parties to which Mr. Baker and myself are subject to third party confidentiality agreements. If you ignore this notice and use or refer to these documents in any way you may be subject to pending litigation claims against J. Selmer Law and White Wiggins & Barnes, LLP.

For any attorney who may have received any of this stolen information, please consider the ethical violations. In addition to the obvious attorney client privilege issues in question, after they were terminated - J. Selmer Law and White Wiggins & Barnes, LLP have shared expressly confidential legal files and strategies with counsel for parties that are or may become adverse to Mr. Baker.

We expect to report these activities to their respective Bar associations as well as the appropriate criminal authorities.

Respectfully,

Michael Lythcott

