

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CARVER

FIRST JUDICIAL DISTRICT
PROBATE DIVISION
Case Type: Special Administration

Court File No.: 10-PR-16-46

In the Matter of:

[REDACTED]

Estate of Prince Rogers Nelson,

Decedent.

**MEMORANDUM OF LAW IN SUPPORT
JUSTIN BRUNTJEN’S MOTION FOR
APPROVAL OF PAYMENT FROM THE
ESTATE FOR SERVICES THAT
BENEFITTED THE ESTATE AS A
WHOLE**

INTRODUCTION

Justin Bruntjen (Attorney) has served as counsel of record for Alfred Jackson (Client) beginning April 28, 2016. During that time, Attorney has performed a substantial amount of work that benefitted the Estate of Prince Rogers Nelson (“Estate”) as a whole. Pursuant to Minn. Stat. § 524.3-720, Attorney hereby submits this memorandum in support of his Motion for Approval of Payment from the Estate for Services that Benefitted the Estate as a whole (“Motion”).

FACTUAL BACKGROUND

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1. [REDACTED] the import of such legislation;

2. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED]

■ [REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ARGUMENT

Minnesota law allows for the payment of attorney's fees from the Estate for services rendered on behalf of the Estate where "the services of an attorney for any interested person contribute to the benefit of the estate, as such, as distinguished from the personal benefit of such person." Minn. Stat. § 524.3-720. In such cases, the "attorney shall be paid such compensation from the estate as the court shall deem just and reasonable and commensurate with the benefit to the estate from the recovery so made or from such services." *Id.*; see also *In re Estate of Van Den Boom*, 590 N.W.2d 350, 354 (Minn. Ct. App. 1999) ("Van Den Boom [a remainder beneficiary], as an interested person, acted for the benefit of the estate by keeping a major asset intact. His attorney is entitled to fees.").

The Court uses the following factors to determine whether attorney fees sought in a probate proceeding are just and reasonable:

- (1) the time and labor required;
- (2) the experience and knowledge of the attorney;
- (3) the complexity and novelty of problems involved;
- (4) the extent of the responsibilities assumed and the results obtained; and
- (5) the sufficiency of assets properly available to pay for the services.

Minn. Stat. § 525.515(b).

In its July 29, 2016 fee petition, the Special Administrator aptly recognized “the unique and extraordinary nature of this proceeding and legal work performed on behalf of the Estate. The scope and sophistication required to represent the Estate may be unlike any other estate administration proceeding in Minnesota’s history.” It would be hard for Attorney to argue with the Special Administrator’s claims concerning the extraordinary nature of this Estate. Besides just the complex legal issues involved, representation on this Estate has crossed multiple and different areas of legal practice including entertainment law, probate law, business law, tax law, and other legal arenas very rarely involved in Probate proceedings. Through Attorney’s efforts over the past 10 months, the Estate has been administered with guidance from the Non-Excluded Heirs, acting upon the advice of competent counsel, which ultimately benefitted the Estate as a whole, rather than any individual ultimately determined to be an heir of the Estate.

Alfred Jackson did not uniquely or individually benefit from the services provided by Attorney that are at issue in this Motion, not only because those services benefitted the Estate as a whole, but also because Mr. Jackson has not yet been adjudicated as an heir. In fact, had a will or child of Prince been discovered over the past 10 months or if a will or child is discovered in the future, then Attorney’s efforts will have only provided a benefit to the Estate.

Assuming Mr. Jackson is determined to be an heir, the effort and expertise Attorney brought to this proceeding assisted the Court, the Special Administrator, the Estate, and all those ultimately determined to be its beneficiaries.

In view of the time expended, the responsibility assumed, the results achieved, the size and complexity of the Estate, the sheer numbers of individuals claiming to be heirs, and Attorney’s good faith belief that its services benefitted the Estate, Attorney respectfully seeks

reimbursement from the Estate for his efforts.

CONCLUSION

For all the foregoing reasons, Attorney respectfully requests that the Court authorize and direct the Special Administrator to pay a total of [REDACTED] for entertainment and non-entertainment fees. The work done by Attorney has significantly benefitted the Estate as a whole.

Respectfully submitted,

Date: March 21, 2017

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