

STATE OF MINNESOTA
COUNTY OF CARVER

FILED
APR 19 2017
CARVER COUNTY COURTS

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In the Matter of:

Court File No. 10-PR-16-46

Estate of Prince Rogers Nelson,
Deceased.

**ORDER DENYING MOTION FOR FILING
DOCUMENTS UNDER SEAL**

The above-entitled matter came before the Court on April 11, 2017, without a hearing.

On April 5, 2017, Attorney Frank Wheaton filed with the Court his Motion for Approval of Attorney Fees, along with redacted and unredacted copies of his Memorandum of Law (documents 1520 and 1524), his Affidavit (documents 1521 and 1525) and Invoices (documents 1518 and 1523). Mr. Wheaton requests that based upon the confidential terms of the court-approved agreements that are not yet finalized and executed, and other confidential information in the attorney's fee invoices, his unredacted filings be filed under seal.

Pursuant to the Court's Order Regarding the Filing of Certain Documents Under Seal filed January 23, 2017, if a party filing a document wishes a document to be filed under seal, it shall file with the document a (1) motion for the document to be filed under seal, (2) memorandum setting forth why the document, or portions of the document, should be filed under seal, (3) redacted version of the document to be filed publicly (if applicable) and (4) proposed order for the sealing of the document. The Court shall exercise a strong preference for the sealing, through the use of a redacted copy, of only those portions a document that reference confidential business transactions, privileged information, or otherwise should be filed under seal. In this analysis, the party should review the standard set forth in *Minneapolis Star & Tribune v. Schumacher*, 392 N.W.2d 197 (Minn.1986). While Mr. Wheaton has complied in part with the procedural requirements for filing documents under seal, the redacted versions of the Filings redact significantly more information than necessary to protect confidential information.

Therefore, the Court makes the following:


ORDER

1. Mr. Wheaton's motion to file under seal his motion documents and Invoices through January 31, 2017 is respectfully DENIED.

2. The unredacted documents identified as documents 1523, 1524, and 1525 shall be unsealed on May 12, 2017, unless prior to that date Mr. Wheaton submits redacted versions of those documents consistent with the standard set forth in *Minneapolis Star & Tribune v. Schumacher*, and those redacted documents are found satisfactory to the Court.

3. If Mr. Wheaton does not submit an appropriately redacted version of those documents by May 12, 2017, and if the Court does not feel that a document can be unsealed due to references to confidential business transactions, privileged information, or otherwise should be filed under seal, appropriate sanctions may be imposed.

Dated: April 11², 2017



Kevin W. Eide
Judge of District Court

NOTICE: A true and correct copy of this Order/Notice has been served by EFS upon the parties. Please be advised that orders/notices sent to attorneys are sent to the lead attorney only.