



June 4, 2018

VIA E-FILING

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

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

Dear Judge Eide:

I write on behalf of Omarr Baker, Alfred Jackson, and Tyka Nelson in response to the letters from the Personal Representative, Comerica Bank & Trust, N.A. (the "Personal Representative"), and Sharon, Norrine, and John Nelson ("SNJ") dated June 1, 2018 regarding the Motion to Appoint Special Master. Justin Bruntjen, counsel for Alfred Jackson, and Lee Hutton, counsel for Tyka Nelson, have represented to me that their clients support this letter.

We moved to appoint the Honorable James H. Gilbert (Ret.) ("Justice Gilbert") as Special Master regarding the Remanded Fee Issue for one reason—to save the Court time and the Estate money. Justice Gilbert is familiar with the matter, will take the time and consideration necessary to arrive at a decision, and his appointment saves the Court from the burden of taking on this matter. The purpose of Rule 53 of the Minnesota Rules of Civil Procedure is not to bypass the Court entirely. Rather, the purpose of Rule 53 is to appoint a Special Master who can take the time and consideration necessary to decide, while controlling costs for the Court and the Estate. A final resolution of the Remanded Fee Issue remains in the hands of the Court. Regardless of whether a Special Master is appointed or not, the Remanded Fee Issue is Your Honor's final decision.

Our first preference for Special Master is Justice Gilbert. We believe that it serves no purpose to object to Justice Gilbert. All of the issues the Personal Representative and SNJ raise in their letters to the Court were well known and should have been anticipated by all parties when Justice Gilbert was initially vetted to the Court and the parties.

As an alternative to Justice Gilbert, the Personal Representative suggested appointment of Judge Richard Solum or Judge John W. Borg to address the Remanded Fee Issue. Tyka Nelson, Omarr Baker, and Alfred Jackson do not object to appointment of either of these retired judges and while the issues SNJ and the Personal Representative raised have no validity for the reasons set forth above, if the Court believes they do have any validity then the appointment of either of these two judges will resolve the objections. The duties of the Special Master as detailed in our Proposed Order are well within the duties envisioned under Rule 53 and precisely the scenario for which Rule 53 was developed. We respectfully request the Court grant the Motion to Appoint Special Master to save the Court time and the Estate money.

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Thank you for your time and consideration.

Sincerely,

COZEN O'CONNOR

s/ Thomas P. Kane

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