

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CARVER

FIRST JUDICIAL DISTRICT
PROBATE DIVISION

Case Type: Special Administration

In the Matter of:

Court File No. 10-PR-16-46

Honorable Kevin W. Eide

Estate of Prince Rogers Nelson,

Deceased.

**[PROPOSED] INTERIM
ORDER REGARDING ESTATE
ADMINISTRATION FOLLOWING THE
COURT'S JULY 28, 2016 ORDER**

Before the Court is the request of the Special Administrator for direction from the Court regarding the sharing of confidential business and genetic testing information subsequent to this Court's Order of July 28, 2016. That Order addresses various heirship claims, including a final determination on the merits that excludes a number of parties as heirs of the Decedent. Furthermore, the Special Administrator, pursuant to this Court's genetic testing protocol, has also concluded that one or more other parties who have submitted to genetic testing do not qualify as heirs under Minnesota law. (The excluded parties referenced in the preceding two sentences are hereafter referred to as the "Excluded Parties".) While the Court is affording some of the Excluded Parties an opportunity to object and seek additional testing, the Special Administrator asks that, in the meantime, the Excluded Parties not be privy to confidential business information, but be granted an opportunity to request to continue to receive genetic testing information to the extent it might be material to their pending heirship claims.

The Court appreciates the business challenges facing the Special Administrator. The entertainment and other business transactions needed to monetize the Estate are challenging and taking place in a fast-paced marketplace. The need for confidentiality and timely business

decision-making is at a premium. Accordingly, the Court respects the request of the Special Administrator to limit the sharing of confidential business information to those parties who have not been excluded as heirs by either this Court's Order of July 28, 2016 or the genetic testing conducted by the Special Administrator pursuant to the Court's genetic testing protocol.

As to genetic testing results, however, there are certain circumstances for certain of the Excluded Parties where the ongoing receipt of confidential genetic test result data could be material to the claims of those parties, whether for the purposes of challenging test results or for possible appeal of this Court's judgment resulting from the July 28, 2016 Order.

The Court, like the Special Administrator, is also mindful of the fact that the law does not foreclose the possibility of other heirs being identified in the future, including new claimants seeking to be determined to be a child of the Decedent. That possibility, however, does not interfere with the need of the Special Administrator to conduct the business affairs of the Estate in a confidential, efficient, and profitable manner in the meantime.

Accordingly, based upon all of the files and records to date, the arguments of counsel during the course of the hearings conducted thus far, and this Court's supervision of the Special Administrator's management of the Estate, IT IS HEREBY ORDERED that:

1. As to the sharing and disclosure of confidential business information by the Special Administrator, either pursuant to the Court's governing protocol for confidential business agreements or in the exercise of the Special Administrator's discretion to share confidential business information when not required by any such governing protocol, the Special Administrator is authorized to limit such disclosure to the parties and their counsel who have not been excluded as heirs by either the operation of this Court's Order of July 28, 2016 or a negative genetic test result.

2. Similarly, as to the confidential business information filed by the Special Administrator under seal in connection with its July 29, 2016 motions concerning real estate transactions, Special Administrator's fees, and attorneys' fees, the Special Administrator is authorized to limit the disclosure of such information to those parties not excluded as heirs by operation of either this Court's Order of July 28, 2016 or a negative genetic test result, with the understanding that the Special Administrator will have the discretion to share such information in a manner that does not compromise any applicable attorney-client and work product protections or hamper the confidentiality needed for future business and tax purposes.

3. To the extent an Excluded Party seeks the right to continue to receive otherwise confidential genetic test data, such party can seek permission from the Special Administrator for the right to continue to receive that information upon a condition of confidentiality and other conditions deemed appropriate to the Special Administrator, and in the event such permission is denied by the Special Administrator, seek relief from this Court via motion for an appropriate remedy.

4. In the event that any Excluded Party receives the permission of the Special Administrator to continue to receive genetic test data, the Special Administrator and the involved party shall submit an appropriate stipulation and corresponding proposed Order for the Court's review and approval.

5. In further effectuating this Court's Order of July 28, 2016, this Court is not limiting the right of any party to remain of record for purposes of receiving filed and publicly-available pleadings, and otherwise seeking relief from this Court as justice requires.

6. Finally, this Court reserves its right to modify these procedures upon the request of the Special Administrator or any other party, particularly in light of any future rulings regarding pending heirship claims.

Dated: August _____, 2016

Kevin W. Eide
Judge of District Court