

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In the Matter of:

Court File No. 10-PR-16-46
Case Type: Special Administration

Estate of Prince Rogers Nelson,

Decedent.

and

Tyka Nelson,

Petitioner.

**THE SPECIAL ADMINISTRATOR'S
REQUEST TO MODIFY THE MOTION
TO COMPEL DOCUMENTS FROM L.
LONDELL MCMILLAN**

Late in the day on January 6, 2017, counsel for Tyka Nelson and Omarr Baker filed a “Motion to Compel L. Londell McMillan to Produce Information Necessary to Facilitate the Appointment of a Personal Representative.”

Without taking a position on the propriety of discovery on Mr. McMillan generally, nor on the procedural propriety of the Motion to Compel, the Special Administrator asks the Court to at least modify request #8. In that request, the moving parties seek to compel “Any and all documents—physical and electronic—that reference or relate to any communication [Mr. McMillan] had with Traci Bransford prior to June 16, 2016.” To the extent the moving parties seek any communication between Ms. Bransford, a partner at Stinson Leonard Street and counsel for Bremer Trust, and Mr. McMillan it would only be relevant after April 21, 2016, when Prince Rogers Nelson passed away. But more importantly, the Special Administrator objects that those communications could contain material that is protected by the attorney-client privilege or attorney work product. *See generally* Minn. R. Civ. P. 45.03 (c)(1)(C) (authorizing motions to

quash or modify subpoenas to third parties if the responsive documents could contain protected material).

As such, to the extent the Court contemplates compelling the production of documents by Mr. McMillan, Bremer Trust asks that request #8 be limited to documents between April 21 and June 16, 2016, and that counsel for Bremer Trust be allowed to review any documents for privilege before they are produced by Mr. McMillan.

Respectfully submitted,

Dated: January 9, 2017

s/ Liz Kramer

Laura E. Halferty (#0311698)
David R. Crosby (#237693)
Liz Kramer (#325089)
Katherine A. Moerke (#312277)
STINSON LEONARD STREET LLP
150 South Fifth Street, Suite 2300
Minneapolis, MN 55402
Telephone: (612) 335-1500
laura.halferty@stinson.com
david.crosby@stinson.com
liz.kramer@stinson.com
katie.moerke@stinson.com

ATTORNEYS FOR BREMER TRUST,
NATIONAL ASSOCIATION,
SPECIAL ADMINISTRATOR