

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
PROBATE DIVISION
FIRST JUDICIAL DISTRICT

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

Estate of Prince Rogers Nelson, Order: Procedure for Fee Applications
Decedent.

The above matter has been referred to the undersigned as a Master pursuant to Rule 53 of the Minnesota Rules of Civil Procedure and this Court's order of June 5, 2018. Attorneys for heirs Omarr Baker and Alfred Jackson have made applications for an award of attorney fees and costs pursuant to Minn. Stat. section 524.3-720, which application has been the subject of an order of this Court, which order has been the subject of an appeal and Court of Appeals decision to remand such attorney fees and costs issues ("Remanded Fee Issues"). This Court's order for reference has provided that the undersigned adopt procedures and conduct conferences and hearings as deemed necessary to hear and decide the Remanded Fee Issues, and to that end the undersigned has held a telephone conference with counsel and has afforded the parties the opportunity to make written submissions concerning such procedures. On the submissions of counsel and the files and proceedings herein, the undersigned makes the following:

ORDER

1. On or before July 20, 2018, counsel seeking an award of attorney fees or costs ("Applicant"), shall provide to the undersigned, with copies to the other parties, an affidavit of a lawyer or lawyers with first-hand knowledge which affidavit describes a list of categories of services¹ done by the applicant or his or her law firm about which the applicant affirms for each such category that the services are subject to payment pursuant to Minn. Stat. section 524.3-720. Additionally, as to each such category, the affidavit shall affirm in detail how the related services meet one or more elements set out in Minn. Stat. section 524.3-720, including in such affirmation:

- a. a description and, to the extent possible a quantification, of the benefit(s) realized by the Estate as such (distinguished from any

¹ While not required, it would be helpful if all applicants could confer and see if they largely agree on as many categories as warranted.

- benefit(s) solely for one or more (but less than all) interested persons);²
- b. any demand or request of the personal representative or special administrator to pursue or prosecute a claim or asset of the estate which was not abided and after which the Applicant pursued or prosecuted such claim or asset resulting in a recovery for the benefit of the Estate as such;³
 - c. a description of how the requested fees are commensurate with or relate to the subject benefit(s) to the Estate;
 - d. how the services and related fees reduced the services and/or fees which otherwise would have had to be performed by counsel to the personal representative or special administrator; and
 - e. any other comment felt to be relevant to the application of Minn. Stat. section 524.3-720, to the Court of Appeals decision concerning the Remanded Fee Issue, or otherwise.

2. On or before July 20, 2018, Applicant shall submit to the undersigned, with copies to the other parties, a spreadsheet which enumerates in respect to each category described in (1) above, each time entry for which an award is sought, and for each such entry states the date of such entry, the time expended in respect to such entry, the identity of the timekeeper in respect to such entry, and the dollar amount of fee requested in respect to such entry.

3. On or before July 23, 2018, any interested party shall submit comments or positions, with copies served upon one another in respect to the Remanded Fee Issues (which comments or positions of any one party (or parties represented by common counsel) shall be no greater than 1500 words). Among other things, the parties are asked to comment on the affirmations in items 1(a) to 1(e) above.

4. From 10 o'clock am to 1:00 o'clock pm on July 25 there will be a hearing on the Remanded Fee Issues at the Fredrikson law firm, at which the undersigned will determine any need for further submissions.

Dated: July 15, 2018

Richard B. Solum

Master

² This can include but may not be limited to increases in assets (or the value thereof) or income of the Estate or decreases in liabilities or expenses of the Estate.

³ This can also include affirmations concerning requests by the personal representative, special administrator, or the court, that the services be performed, or affirmations that the services were services which otherwise would have had to be performed by counsel to the special administrator or personal representative.