

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CARVER

FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In Re:Case Type: Special Administration
Court File No: 10-PR-16-46
Judge: Kevin W. EideEstate of Prince Rogers Nelson,
Decedent,**SHARON, NORRINE AND JOHN
NELSON'S RESPONSE TO
COMERICA'S OBJECTION TO
COMPENSATION FOR THE
NELSON'S SERVICES TO ESTATE**

Sharon Nelson, Norrine Nelson, and John Nelson (collectively "SNJ") submits this reply in response to the "Objection to Petition For Compensation Filed by Sharon L. Nelson, Norrine P. Nelson and John R. Nelson" (the "Objections"), filed by Comerica Bank & Trust N.A. ("Comerica") on April 2, 2020, and in support of SNJ's "Petition for Compensation", filed on March 12, 2020, (the "Petition"). SNJ submit the following in response:

1. In the Objections to SNJ's Petition, Comerica, and their counsel Frederickson and Byron, once again attempts to misguide the Court and distort the factual record by arguing against reasonable compensation for SNJ's services to the Estate, despite their receipt of millions and millions of dollars from the Estate and their approval of excessive funds to others for services to the Estate. Comerica claims, "the Nelsons have refused to take advantage of opportunities to participate in consulting opportunities arranged for them by the Personal Representative in connection with Paisley Park and entertainment transactions, forgoing hundreds-of-thousands of dollars in compensation." (Objections, page 2). This is false and/or misleading. Comerica does not speak for the Heirs and have

expended hundreds of thousands, and potentially millions, of dollars contesting and objecting to the Heirs. The purported “opportunities arranged for by [Comerica]” came about due to third parties seeking to commercially exploit Estate assets. Comerica (and advisors) unfairly interjected themselves to negotiate the terms of agreements for the Heirs with such third parties which would have otherwise been negotiated directly by the Heirs. Despite Comerica’s allegations, these purported “opportunities” with third parties must be distinguished from the relief sought in SNJ’s Petition. The compensation sought in the Petition is for SNJ’s direct and daily work, meetings, travel, advice and services rendered to the Estate that result in enhanced protection, preservation and administration of such Estate and its assets. Without question, Comerica has never offered SNJ compensation for any such time, advice, work and services related to decisions to protect, preserve and optimize the value of the Estate.

2. Comerica, on behalf of the Estate, has simply used the Heirs efforts and desire to be helpful and informed as gratuitous labor, taking advantage of the Heirs time, advice, services and work provided without wages or compensation, unlike all others who have been excessively paid millions of dollars for their time. Even attorneys hired by the Heirs have been compensated and paid for certain services rendered to the Estate, as directed by such Heirs, and these attorneys were allowed to place liens on the Heirs inheritance. However, the Heirs who hired, supported, and worked with these lawyers, whose fees were approved by the Court, were not allowed to be compensated for some of the very same work and services to the Estate. SNJ also worked with the Court appointed mediator who has received significant mediation fees for his services. All parties who

have worked on behalf of the Estate has been compensated except the Heirs; the Heirs should not be discriminated against because they are Heirs to Prince.

3. The compensation received or presented to SNJ has only been offered by third parties who were willing to offer consulting payments to the Heirs, however, when the Heirs attempted to negotiate with these third parties directly, Comerica and their advisors blocked and hindered the Heirs attempts at doing so. Compensation from the Estate for time and services rendered to the Estate is separate and distinguishable from consulting fees offered by third parties for any such third parties' business reasons. For example, funds offered by a media company to SNJ to support and consult regarding a documentary is not paid by Comerica or attributed to SNJ's services unrelated to such business transaction.

4. SNJ object to Comerica's characterization that SNJ's involvement and participation as "voluntary." SNJ has worked long hours, provided invaluable information and repeated consultation to Comerica, advisors, lawyers, and the mediator appointed by the Court. While no one forced SNJ to provide such services, no one forced Comerica, their lawyers, advisors and many others who offered their services to benefit the Estate. Comerica's announcement that SNJ's services were voluntary is astonishing not only because it is incorrect, but also because Comerica does not and should not speak for the Heirs on anything including, whether they are acting and serving voluntarily. It is well established, under Minnesota law, that the Personal Representative should not waste Estate assets on voluntary and unnecessary costs and expenses (meetings, travel, legal

costs). These costs we incurred by Comerica because it was in the best interest of the Estate and accordingly, by Court Order.

5. SNJ's request is not a premature distribution request either, as Comerica seeks to imply. The Heirs services were to assist and ensure that all parties act in the best interests of the Estate and to preserve and protect the legacy of their brother, as well as any future inheritance for such Heirs. These services were rendered whether Comerica welcomed such efforts or not. Indeed, Comerica has acknowledged the Heirs contributions in the past, pleaded with the Heirs to continue meetings and the Heirs should not be the only party working for the Estate who are unpaid. SNJ are all elderly, in their late seventies (except Sharon Nelson who is now eighty years of age), and have worked for years advising the Estate and seeking to ensure accountability on Comerica, without compensation for those services. SNJ's services has provided important value to the Estate, and such efforts and value should be paid to promptly. SNJ is prepared to accept the minimal amount of \$20,000 per month for each Heir for their services or such amount approved by the Court.

6. Comerica claims the Heirs and SNJ received sums in their Objections which preceded their appointment. A large amount of the sums received by SNJ were received in 2016, before Comerica was appointed. However, upon information and belief, Comerica has received and approved the payment of over \$20 million dollars in legal and advisory fees to others who rendered services to the Estate. Nonetheless, Comerica claims the Heirs should receive nothing, except payments from third parties for consulting services on

projects produced by these contracting parties. This position must be deemed unfair and unreasonable.

7. The allegation Comerica submits that SNJ declined consulting fee opportunities is also false. In some cases, SNJ did not receive payment on certain third party deals because one or more of these Heirs objected to the terms of such deals, and because SNJ refused to agree to such terms of the deal or proposed consulting agreements, SNJ was denied such fee opportunities. Essentially, receipt of these payments were conditioned upon SNJ approving or “rubber-stamping” deals negotiated by advisors of Comerica, even over the objection of such Heirs. SNJ’s time, advice, work and services were nevertheless rendered to the Estate (yet they were not paid).

8. In the case of Paisley Park, the amounts SNJ were promised were deferred. To accept such sums, as SNJ did during the prior term under Bremer Trust, may cause these elderly heirs financial issues they seek to resolve. In essence, the amounts are too minimal to cover for the loss of funds SNJ receives from their social security and pension which is detrimental to them without steady income for their work and services to the Estate. In other words, unless the amounts received by SNJ are consistent and greater than the deductions from SNJ's public subsidies and other public/private benefits, the amounts are more detrimental than helpful. There are adverse consequences to accepting small and unforeseeable sums from third parties related to certain deals Comerica and such third party will allow SNJ to participate, assuming SNJ supports the deal and will enter into an agreement for such services. To compensate SNJ the reasonable amount for their work

and services would enable SNJ to accept such sums, referenced by Comerica, and not risk and worry about losing their public/private assistance and pension funds.

9. SNJ urgently need and wish to purchase a more protective and quality health-care plan. As mentioned earlier, SNJ are elderly and the COVID-19 crisis has resulted in a range of additional costs and expenses. The COVID-19 pandemic has created a financial crisis that has enormous and detrimental consequences on almost everyone, especially the elderly and African American who struggle financially. Should the Court compensate SNJ for their services, SNJ can address new costs to survive and purchase a better health care plan, pay for medicine (and preventative remedies) and cover additional costs and expenses unanticipated during these unprecedented times. Whether persuasive to the Court or not, Prince would have been concerned for his family and wanted SNJ to have adequate health-care and protection during these times. As the Court is aware, one of the six heirs has already passed away, partially due to health problems and the lack of adequate mental and physical health assistance. SNJ should not risk their lives in this long and drawn-out Estate proceeding. As the Estate should be approaching a near end, SNJ should be reimbursed and reasonably compensated for their service and work for the Estate which has been done to date for no compensation and no financial support.
10. The Court has approved essentially all the costs, expenses and legal fees (many of which has been excessive and unnecessary) submitted by Comerica and their counsel Fredrickson and Byron, some of which has been over the objections of SNJ. It is only

appropriate that this Court, for once, have mercy and compassion for SNJ who seek to be fairly compensated, protected and supported in its efforts to wind down the Estate.

11. SNJ also hereby pleads with the Court to establish timelines, place approved protocols on Comerica, and closely monitor Comerica to expediently advance and close negotiations with the state and federal tax authorities to allow the Heirs an opportunity to find a solution to pay any such tax liability. Under the present Court ordered administration, there is no economic incentive for Comerica, their attorneys and advisors to expedite a plan of distribution to the Heirs (or a business entity of their choice) to close or allow the Heirs to assist in the primary duty, process and goal of timely closing the Estate under the laws of Minnesota. In fact, there is a clear financial and business incentive for Comerica, its attorneys and advisors to allow the Estate continue for years, as they are richly compensated monthly for work they bill to the Estate. To allow the continued administration of the Estate by Comerica will likely be pronouncing that SNJ, the elderly Heirs of Prince, will never recover and receive the inheritance of their heirship.

As stated above and for the foregoing reasons, SNJ respectfully requests that the Court grant the Petition for Compensation, the amount to be reasonably determined by the Court. Should the Court not grant such request for compensation, SNJ request the Court place approved protocols on Comerica with respect to the remaining duties of the Estate for the purpose of an expedient closure and distribution of the Estate assets to the Heirs of Prince prior to further life transitions of Heirs.

Dated: April 9, 2020

Sharon L. Nelson

By: /s/ Sharon L. Nelson

Norrine Nelson

By: /s/ Norrine P. Nelson

Norrine Nelson for John R. Nelson

By: /s/ John R. Nelson