

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

Judge Kevin W. Eide

Estate of Prince Rogers Nelson,

Decedent.

**DECLARATION OF JOSEPH J.
CASSIOPPI IN SUPPORT OF
COMERICA BANK & TRUST, N.A.'S
REPLY IN SUPPORT OF MOTION TO
DISMISS COUSINS LAW, APA'S
PETITION FOR ALLOWANCE OF
PREVIOUSLY DISALLOWED CLAIM**

I, Joseph J. Cassioppi, declare and state as follows:

1. I am a shareholder at Fredrikson & Byron P.A., counsel for Comerica Bank & Trust, N.A. ("Comerica"), the Personal Representative of the Estate of Prince Rogers Nelson.

2. I submit this Declaration in support of Comerica's Reply in Support of Motion to Dismiss Cousins Law, APA's Petition for Allowance of Previously Disallowed Claim.

3. Attached hereto as EXHIBIT A is a copy of a Comerica Bank & Trust, N.A.'s Affidavit of Service showing that the Personal Representative mailed its Motion to Dismiss Cousins Law, APA's Petition for Allowance of Previously Disallowed Claim and supporting documents to Cousins Law on March 1, 2017.

4. Our March 1, 2017 mailing to Cousins Law was not returned as undeliverable and I did not receive notification indicating that Cousins Law did not receive the mailing until I received Cousins Law's Response to Comerica's Motion on March 29, 2017.

5. Attached hereto as EXHIBIT B is the email I sent to Patrick Cousins on March 29, 2017, attaching the Affidavit of Service and inquiring whether Cousins Law wished to

reschedule the hearing date as a result of the two-week delay in Mr. Cousins receiving the Motion. I have not received a response to my email.

I declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information, and belief.

Dated: April 4, 2017

/s/ Joseph J. Cassioppi
Joseph J. Cassioppi

61112945_1.docx

EXHIBIT A

Case name: In the Matter of the Estate of Prince Rogers Nelson, Decedent
Court File No.: 10-PR-16-46

AFFIDAVIT OF SERVICE BY MAIL

STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN)

Jan C. Stahura being duly sworn on oath, deposes and states that on the 1st day of March, 2017, she served the:

1. Comerica Bank & Trust, N.A.'s Notice of Motion and Motion to Dismiss Cousins Law, APA's Petition for Allowance of Previously Disallowed Claim;
2. Comerica Bank & Trust, N.A.'s Memorandum in Support of Motion to Dismiss Cousins Law, APA's Petition for Allowance of Previously Disallowed Claim;
3. Declaration of Joseph J. Cassioppi in Support of Motion to Dismiss Cousins Law, APA's Petition for Allowance of Previously Disallowed Claim; and
4. [Proposed] Order Granting Motion to Dismiss Cousins Law, APA's Petition for Allowance of Previously Disallowed Claim

by placing a true and correct copy thereof in an envelope addressed as follows and depositing the same, with postage prepaid, in the United States mail at Minneapolis, Minnesota.

Ricky Barron 11505 37 th Avenue North Plymouth, MN 55441 Pro Se	James M. Brandon 402 Rifton Court Upper Marlboro, MD 20774 Pro Se
Rodney H. Dixon 29635 Troon Court Murrieta, CA 92563 Pro Se	Celiza P. Braganca Stoltmann Law Offices 10 South LaSalle Street, Ste. 3500 Chicago, IL 60603 Attorneys for Brianna Nelson
Kimberly Felecia Potts 179 Potts Drive Tallassee, AL 36078 Pro Se	Maurice Lee Soledad 1580 State Road London, OH 43140 Pro Se

<p>Claire Elisabeth Nelson a/k/a Claire Elisabeth Elliott a/k/a Claire Boyd 2801 Washington Road, Ste. 107, #339 Augusta, GA 30909</p> <p>Pro Se</p>	<p>Elaine Whigham Williams 2700 Buford Highway Null Atlanta, GA 30324</p> <p>Pro Se</p>
<p>Paul F. Shoemaker Shoemaker & Shoemaker, PLLC 5270 West 84th Street, Suite 410 Bloomington, MN 55437</p> <p>Patrick S. Cousins Cousins Law, A.P.A. 319 Clematis Street, Suite 701 West Paul Beach, FL 33401</p> <p>Attorneys for Carlin Q. Williams</p>	


Jan C. Stahura

Subscribed and sworn to before me
this 1st day of March, 2017


Notary Public

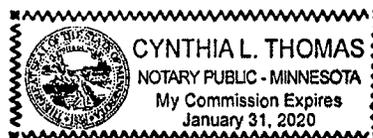


EXHIBIT B

Unger, Emily

From: Cassioppi, Joseph
Sent: Wednesday, March 29, 2017 2:09 PM
To: 'Cuzlaw'
Cc: Unger, Emily
Subject: RE: PRN Claim
Attachments: Affidavit of Service-c.pdf

Mr. Cousins:

We have reviewed your opposition to Comerica's motion to dismiss, including the statement that we did not serve you with a copy of the motion. We reviewed the affidavit of service, and noticed that it included a typographical error in the address for your law firm. See the attached. My apologies if you did not receive a copy of the motion papers.

In light of the fact that you did, in fact, receive the motion papers from a different source and were able to submit a timely response, it appears that the hearing can proceed as scheduled. If, however, you would like us to contact the court to arrange a different hearing date, please let us know by this Friday, March 31.

Regards,

Joseph J. Cassioppi
Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402-1425
Direct Dial: 612.492.7414
Main Phone: 612.492.7000
Fax: 612.492.7077

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From: Cuzlaw [mailto:cuzlaw@yourlemon.com]
Sent: Wednesday, February 22, 2017 4:17 PM
To: Cassioppi, Joseph; Yvonne.Shirk@courts.state.mn.us
Cc: Unger, Emily
Subject: RE: PRN Claim

Ms. Shirk:

April 7, 2017 works best for me.

Sincerely,

Patrick S. Cousins
Attorney at Law, Arbitrator, and Florida Supreme Court Certified Circuit Mediator
Cousins Law APA

319 Clematis Street, Suite 701
West Palm Beach, FL 33401
561-835-1727/Fax: 561-835-0766
www.cousinslawfirm.com

Accepting cases and referrals in Lemon Law, Foreclosure Defense, Business and Construction Law.

This transmission is attorney-client privileged, and/or confidential and is intended only for use by the named individual or entity. If you have received this in error, please immediately notify the sender by replying to the e-mail or telephoning 561-835-1727, then delete the e-mail. Thank you.

--- Original Message---

To: JCassioppi@fredlaw.com; Patrick; Cuzlaw@yourlemon.com

Cc: EUnger@fredlaw.com

From: Yvonne.Shirk@courts.state.mn.us

Sent: 2/21/2017 3:51PM

Subject: RE: PRN Claim

>> Counsel,

>>

>> I have an additional email address for Mr. Cousins that I've included here.

>> Assuming you will be going forward with a motion hearing, I will try to get you some
>> proposed dates later this week.

>>

>>

>> Yvonne Shirk

>> Law Clerk to the Honorable Kevin W. Eide

>> Carver County Courthouse

>> 604 East 4th Street

>> Chaska, MN 55318

>> 952-361-1438

>>

>>

>> From: Cassioppi, Joseph [<mailto:JCassioppi@fredlaw.com>]

>> Sent: Thursday, February 16, 2017 4:27 PM

>> To: Shirk, Yvonne <Yvonne.Shirk@courts.state.mn.us>; Patrick Cousins

>> (patrick@cousinslawfirm.com) <patrick@cousinslawfirm.com>

>> Cc: Unger, Emily <EUnger@fredlaw.com>

>> Subject: RE: PRN Claim

>>

>> Ms. Shirk:

>>

>> Comerica intends to file a motion to dismiss the Petition by February 28. In

>> the event that the Court denies the motion to dismiss, we will work with Mr.

>> Cousins to prepare a proposal regarding a pretrial schedule and any discovery

>> related

>> to the Petition.

>>

>> Best Regards,

>>
>> Joe Cassioppi
>>
>> Joseph J. Cassioppi
>> Fredrikson & Byron, P.A.
>> 200 South Sixth Street, Suite 4000
>> Minneapolis, MN 55402-1425
>> Direct Dial: 612.492.7414
>> Main Phone: 612.492.7000
>> Fax: 612.492.7077
>>
>> **This is a transmission from the law firm of Fredrikson & Byron, P.A. and may
>> contain information which is privileged, confidential, and protected by the
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>> prohibited. If you have received this transmission in error, please destroy it and notify
>> us immediately at our telephone number (612) 492-7000. The name and biographical
>> data provided above are for informational purposes only and are not intended to be
>> a signature or other indication of an intent by the sender to authenticate the
>> contents of this electronic message.**
>>
>>
>> From: Shirk, Yvonne [<mailto:Yvonne.Shirk@courts.state.mn.us>]
>> Sent: Thursday, February 16, 2017 3:25 PM
>> To: Cassioppi, Joseph; Patrick Cousins (patrick@cousinslawfirm.com)
>> Subject: PRN Claim
>>
>> Counsel,
>>
>> Can you tell me what your thoughts are on this claim? Is it something we
>> should be anticipating dispositive motions on, or should we schedule it for an
>> evidentiary hearing?
>>
>> Yvonne Shirk
>> Law Clerk to the Honorable Kevin W. Eide
>> Carver County Courthouse
>> 604 East 4th Street
>> Chaska, MN 55318
>> 952-361-1438
>>

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AFFIDAVIT OF SERVICE BY MAIL

STATE OF MINNESOTA)
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Jan C. Stahura being duly sworn on oath, deposes and states that on the 1st day of March, 2017, she served the:

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by placing a true and correct copy thereof in an envelope addressed as follows and depositing the same, with postage prepaid, in the United States mail at Minneapolis, Minnesota.

Ricky Barron 11505 37 th Avenue North Plymouth, MN 55441 Pro Se	James M. Brandon 402 Rifton Court Upper Marlboro, MD 20774 Pro Se
Rodney H. Dixon 29635 Troon Court Murrieta, CA 92563 Pro Se	Celiza P. Braganca Stoltmann Law Offices 10 South LaSalle Street, Ste. 3500 Chicago, IL 60603 Attorneys for Brianna Nelson
Kimberly Felecia Potts 179 Potts Drive Tallassee, AL 36078 Pro Se	Maurice Lee Soledad 1580 State Road London, OH 43140 Pro Se

<p>Claire Elisabeth Nelson a/k/a Claire Elisabeth Elliott a/k/a Claire Boyd 2801 Washington Road, Ste. 107, #339 Augusta, GA 30909</p> <p>Pro Se</p>	<p>Elaine Whigham Williams 2700 Buford Highway Null Atlanta, GA 30324</p> <p>Pro Se</p>
<p>Paul F. Shoemaker Shoemaker & Shoemaker, PLLC 5270 West 84th Street, Suite 410 Bloomington, MN 55437</p> <p>Patrick S. Cousins Cousins Law, A.P.A. 319 Clematis Street, Suite 701 West Paul Beach, FL 33401</p> <p>Attorneys for Carlin Q. Williams</p>	


Jan C. Stahura

Subscribed and sworn to before me
this 1st day of March, 2017


Notary Public

