

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

Estate of Prince Rogers Nelson,

Decedent,

and

Tyka Nelson,

Petitioner.

**DECLARATION OF
KATHERINE A. MOERKE
IN SUPPORT OF THE SPECIAL
ADMINISTRATOR'S OBJECTION TO
PHAEDRA ELLIS-LAMKINS' PETITION****[Filed Under Seal]**

I, Katherine A. Moerke, declare as follows:

1. I am an attorney admitted to practice in the State of Minnesota and am one of the attorneys for Bremer Trust, N.A., Special Administrator for the Estate of Prince Rogers Nelson.

2. I am a partner at Stinson Leonard Street LLP.

3. Attached as Exhibit 1 is a true and correct copy of a May 2, 2016, letter from my partner Joel Abrahamson to Ms. Ellis-Lamkins, stating in part "We have appointed Bremer the sole officer and director of each of the Decedent's entities so that Bremer has the authority to exclusively act on behalf of the Estate."

4. Attached as Exhibit 2 is a true and correct copy of an October 27, 2016, letter I sent Ms. Ellis-Lamkins' counsel, reiterating the statement in the May 2 letter.

5. On December 9, 2016, in response to her repeated requests for confidential corporate records, I wrote Ms. Ellis-Lamkins' counsel and offered to provide Ms. Ellis-Lamkins with an affidavit confirming that, when Bremer Trust was appointed as Special Administrator, it

took on exclusive authority for Decedent's businesses. Attached as Exhibit 3 is that email. I have not yet received a response.

I declare under penalty of perjury that the matters set forth above are within my personal knowledge and are true and correct to the best of my knowledge.

Dated: December 21, 2016

By: s/Katherine A. Moerke
Katherine A. Moerke

EXHIBIT 1



Joel E. Abrahamson
612.335.7006 DIRECT
joel.abrahamson@stinson.com

May 2, 2016

Via U.S. Mail and Email (pellislamkins@gmail.com)
Phaedra Ellis-Lamkins

Re: Court Appointment of Special Administrator of Estate of Prince Rogers Nelson

Dear Ms. Ellis-Lamkins:

Thank you for your time this week and for providing us with background information regarding the services that you provided on behalf of Prince Rogers Nelson and entities owned and controlled by him. As discussed, this firm and the undersigned represent Bremer Trust, National Association ("Bremer"). Bremer is the Court-appointed Special Administrator of the Estate of Prince Rogers Nelson ("Decedent") in the probate matter pending in Carver County District Court.

As the Special Administrator, Bremer is obligated to act as the exclusive manager and supervisor of the business interests and all other assets of the Decedent from the moment of the Court appointment on April 27, 2016. Bremer sincerely thanks you for your past service. We understand from corporate documents for the Decedent's entities that you have served as the Secretary of several of the Decedent's entities. We have appointed Bremer the sole officer and director of each of the Decedent's entities so that Bremer has the authority to exclusively act on behalf of the Estate.

We look forward to continuing our conversations regarding the status of the Estate. If you could assist us with the following, it would greatly assist Bremer with effectively carrying out its legal duties:

1. Please provide a written inventory of all assets of the Decedent (or entities owned by the Decedent) in your possession or under your control;
2. Please provide copies of all contracts, whether maintained in hard copy or in electronic form, relating to the business interests of the Decedent or entities controlled by the Decedent;
3. Please provide copies of all service agreements (including employment agreements), whether maintained in hard copy or in electronic form, to which the Decedent or any entities controlled by the Decedent is a party;
4. Please provide all financial records (including payables and receivables), whether maintained in hard copy or in electronic form, relating to the business interests of the Decedent or entities controlled by the Decedent;
5. Please refrain from destroying or altering any of the documents referenced in item nos. 2-4 above;

Ms. Ellis-Lamkins
May 2, 2016
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6. Please provide all keys to properties owned or leased by the Decedent or entities controlled by the Decedent; and
7. Please provide to Bremer and cease using any credit cards or checkbooks in the name of the Decedent or entities controlled by the Decedent.

We look forward to continuing our conversations regarding the status of the Estate and actions necessary to preserve, protect and maximize its assets. Our condolences to you for the loss of your friend. We wish you the best in this difficult time.

Sincerely,

Stinson Leonard Street LLP



Joel E. Abrahamson

EXHIBIT 2



Katherine A. Moerke
612.335.1421 **DIRECT**
612.335.1657 **DIRECT FAX**
katie.moerke@stinson.com

October 27, 2016

Via E-Mail and U.S. Mail

Marnie E. Fearson
Felhaber Larson
220 South Sixth Street
Suite 2200
Minneapolis, MN 55402-4504
email: mfearson@felhaber.com

Re: *In Re the Estate of Prince Rogers Nelson, Court File No. 10-PR-16-46*

Dear Ms. Fearson:

I write in response to your letter on behalf of Phaedra Ellis-Lamkins dated October 21, 2016.

Your letter states that Ms. Ellis-Lamkins' status and responsibilities with respect to certain entities related to Prince Rogers Nelson is unclear. That statement is incorrect. On May 2, 2016, after Mr. Nelson died and Bremer Trust was appointed as the Special Administrator of his Estate, our law firm e-mailed a letter to Ms. Ellis-Lamkins on behalf of Bremer Trust, which explained that Bremer Trust was appointed as "the sole officer and director of each of the Decedent's entities so that Bremer has the authority to exclusively act on behalf of the Estate." That letter is enclosed for reference. Accordingly, Ms. Ellis-Lamkins has not been an officer of any Prince-related entities since that time, and there is no basis for the production of documents requested identified in your letter.

Sincerely,

Stinson Leonard Street LLP

A handwritten signature in black ink that reads "Katherine A. Moerke".

Katherine A. Moerke

enc: May 2, 2016 Letter to Phaedra Ellis-Lamkins from Joel E. Abrahamson

cc: Joshua C. Hillger (via email)
Laura Halferty (via email)
Liz Kramer (via email)

EXHIBIT 3

Moerke, Katie

From: Moerke, Katie
Sent: Friday, December 09, 2016 8:15 AM
To: 'Marnie E. Fearon'
Cc: BraeLynn J. Glander; Kramer, Liz
Subject: Phaedra Ellis-Lamkins - e-mail log and affidavit

Marnie,

Would you please provide an update on when we can expect the log of personal e-mails?

Also, I am following up on Ms. Ellis-Lamkins' requests for information related to her removal as an officer and manager of Mr. Nelson's business entities. The Special Administrator is willing to provide your client with an affidavit confirming that, when Bremer Trust was appointed as Special Administrator, it took on exclusive authority for Decedent's businesses. Please let us know if such an affidavit will allay your client's concerns and whether she would then be willing to withdraw her petition filed in the probate matter.

Katie

From: Marnie E. Fearon [mailto:MFearon@Felhaber.com]
Sent: Thursday, November 17, 2016 12:15 AM
To: Moerke, Katie
Cc: BraeLynn J. Glander
Subject: RE: Phaedra Ellis-Lamkins shared "npgmusicpublishing.mbox" with you

Katie,

Attached is the privilege log. The "personal" log is in process. Thanks.

Marnie E. Fearon
Attorney

220 South 6th Street, Suite 2200, Minneapolis, MN 55402
Direct: 612.373.8405 | Main: 612.339.6321 | Fax: 612.338.0535
mfearon@felhaber.com
www.felhaber.com

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From: Moerke, Katie [mailto:katie.moerke@stinson.com]
Sent: Tuesday, November 15, 2016 3:55 PM
To: Marnie E. Fearon

Cc: BraeLynn J. Glander
Subject: RE: Phaedra Ellis-Lamkins shared "npgmusicpublishing.mbox" with you

Marnie,

I am following up on the logs of privileged and personal e-mails. I'm not sure if I missed them, but it does not appear that they were received. Can you send again?

Thanks!

Katie

Katherine A. Moerke | Partner | Stinson Leonard Street LLP
150 South Fifth Street, Suite 2300 | Minneapolis, MN 55402
T: 612.335.1421 | M: 612.968.5928 | F: 612.335.1657
katie.moerke@stinson.com | www.stinson.com
Legal Administrative Assistant: Rhonda Pearson | 612.335.1722 | rhonda.pearson@stinson.com

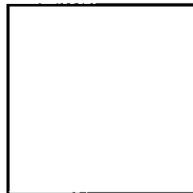
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From: Marnie E. Fearon [mailto:MFearon@Felhaber.com]
Sent: Monday, November 07, 2016 9:20 PM
To: Moerke, Katie
Cc: BraeLynn J. Glander
Subject: FW: Phaedra Ellis-Lamkins shared "npgmusicpublishing.mbox" with you

Katie,

Attached is a dropbox link to the emails the Estate requested. I will send the log shortly. I trust this satisfies all of the outstanding requests the Estate has of Ms. Ellis-Lamkins.

From: Phaedra Ellis-Lamkins (via Dropbox) [mailto:no-reply@dropbox.com]
Sent: Monday, November 07, 2016 7:09 PM
To: Marnie E. Fearon
Subject: Phaedra Ellis-Lamkins shared "npgmusicpublishing.mbox" with you



Hi Marnie,

Phaedra Ellis-Lamkins (phaedra@joinhonor.com) invited you to view the file "npgmusicpublishing.mbox" on Dropbox.

Phaedra said:

"Here is the email file minus the personal emails and privilege."



Enjoy!

The Dropbox team

© 2016 Dropbox

▪
Marnie E. Fearon

Attorney

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