

STATE OF MINNESOTA  
COUNTY OF CARVER

DISTRICT COURT  
FIRST JUDICIAL DISTRICT  
PROBATE DIVISION  
Case Type: Special Administration

In re:

Estate of Prince Rogers Nelson,  
Deceased.

Court File No. 10-PR-16-46

**AFFIDAVIT OF ROBERT J. LABATE  
IN SUPPORT OF MOTION TO APPROVE PAYMENT  
OF ATTORNEYS' FEES AND EXPENSES FOR PERIOD  
NOVEMBER 16, 2016 THROUGH JANUARY 31, 2017  
REGARDING ENTERTAINMENT LAW SERVICES**

**AFFIDAVIT OF ROBERT J. LABATE**

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF COOK            )

Pursuant to Minnesota Statutes, section 358.116, I, Robert J. Labate, under penalty of perjury, affirm as follows:

1. I am an attorney duly licensed to practice law before all courts in the States of California, Illinois and New Mexico. I am admitted to practice in this matter *pro hac vice*, and if called as a witness, I could and would competently testify to the facts stated herein based on my own personal knowledge.

2. I am a Partner at Holland & Knight LLP (“**H&K**”), counsel for Tyka Nelson for entertainment matters. I submit this affidavit in support of H&K’s motion for approval of payment of attorneys’ fees and costs for the period between November 16, 2016 through January 31, 2017 (the “**Second Application Period**”) from assets of the Estate.

3. H&K was retained by Tyka Nelson (“**Tyka**”) on September 23, 2016 to provide legal services and specialized advice regarding the Estate of Prince Rogers Nelson (the “**Estate**”).

4. [REDACTED]

5. [REDACTED]

6. [REDACTED]

7. [REDACTED]

<sup>1</sup> [REDACTED]

<sup>2</sup> Additional details regarding my appointment as a Representative and related events are described in my affidavit in support of H&K's Initial Fee Application, dated December 12, 2016. That affidavit contains information related to my qualifications as a Representative and biographies of other H&K attorneys who have worked on this matter.

[REDACTED]

Activities as Representative.

8. [REDACTED]

9. [REDACTED]

10. [REDACTED]

11. [REDACTED]

12. These fees if awarded are tax deductible by the Estate and thus will reduce the Estate's overall tax burden.

13. H&K has also provided services that benefitted Tyka individually. H&K is not petitioning for the payment of fees incurred for those services from the Estate and those fees are not included herein.



[REDACTED]

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

25. [REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

29. [REDACTED]

[REDACTED]

[REDACTED]

**Review and Negotiation of Other Entertainment Matters.**

30. H&K analyzed, commented on and consulted with Heirs counsel and with the Special Administrator on other entertainment opportunities presented to the Estate during the Second Application Period.

31. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

32. The Special Administrator and the Advisors also considered other entertainment opportunities, each of which were analyzed by the Representatives and discussed at length with Heirs' counsel during the Second Application Period.

33. Some of these opportunities, referred to in the H&K invoices, have been discussed with Comerica, as Personal Representative, and, at the appropriate time, may be presented to this Court for approval.

34. [REDACTED]

35. [REDACTED]

36. [REDACTED]

37. Although H&K provided advice to Tyka individually, for which reimbursement is not sought, the following H&K fees are sought for reimbursement for entertainment related legal services provided from November 16, 2016 through January 31, 2017 that benefited the Estate as whole:

<u>H&amp;K Professional</u>	<u>Hourly Rate</u>	<u>Hours Expended</u>	<u>Total</u>
Christopher W. Boyett, Partner	\$790/hr	0.8	\$632.00
Frank Keldermans, Partner	\$760/hr	19.1	\$14,516.00
Jorge L. Hernandez-Toraño, Partner	\$750/hr	25.5	\$19,150.00
Vivian L. Thoreen, Partner	\$750/hr	1.7	\$1,275.00
Stacie P. Nelson, Partner	\$725/hr	11.8	\$8,555.00
Robert J. Labate, Partner	\$720-\$750/hr	133.8	\$97,167.00
Edward Diaz, Partner	\$600-\$625/hr	31.6	\$19,070.00
Robert Barton, Associate	\$550/hr	3.8	\$2,090.00
Richard A. Bixter, Associate	\$400-\$450/hr	21.5	\$8,775.00
Lisa M. Brown Kpor, Associate	\$380/hr	35.9	\$13,642.00
Jane Marie Russell, Associate	\$365/hr	6.9	\$2,518.00
Josefina Hernandez, Paralegal	\$280/hr	0.4	\$112.00
<b>Total</b>		<b>292.8</b>	<b>\$187,502.50</b>

38. H&K's entertainment-related legal fees are in the total amount of \$187,502.50 for services sought by this Motion. I and other attorneys at H&K have reviewed the original time entries for the legal fees submitted by H&K and affirm that the work was actually performed for the benefit of the Estate, was necessary for the proper administration of the Estate, and that the fees are reasonable given (1) the time and labor required; (2) the complexity and novelty of the transactions involved; and (3) the extent of the responsibilities assumed and the results obtained. The coordination of work required over several sophisticated and complex disciplines, and the time demands required finds the pending fee request reasonable under these unique circumstances. Furthermore, our firm's hourly rates and overall charges are fair when compared against the fees charged for comparable work for similar firms in other major metropolitan areas.

39. Given the complexity of the litigation, the Entertainment deals the Estate is negotiating and the results achieved, \$187,502.50 is a just and reasonable amount to be requested.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated: March 3, 2017

/s/ Robert J. Labate  
Robert J. Labate