

State of Minnesota

District Court

County of Carver

Judicial District:

First

Court File Number:

10-PR-16-46

Case Type:

Special Administration

In the Matter of:

Court File No. 10-PR-16-46

Estate of Prince Rogers Nelson,

Decedent,

**SUBPOENA IN A CIVIL CASE
(Command to Produce Documents)**

Minn. R. Civ. Pro. 45

and

Tyka Nelson,

Petitioner.

TO: Cousins Law APA, 319 Clematis Street, Suite 701, West Palm Beach, Florida 33401.

- You are commanded to appear as a witness in the district court to give testimony at the place, date, and time specified below.

Place of Testimony	Courtroom
	Date and Time

- You are commanded to appear at the place, date and time specified below to testify at the taking of a deposition in the above case.

Place of Deposition:	Date and Time
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- You are commanded to produce and permit inspection and copying of the listed documents or objects at the place, date and time specified below (attach list of documents or objects if necessary): **See Attached Exhibits A and B.**

Place of Production: Cousins Law APA 319 Clematis Street, Suite 701 West Palm Beach, Florida 33401	Date and Time February 15, 2017 5:00 p.m.
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These items will be inspected and copied at that time. You will not be required to surrender the original items. You may comply with this subpoena by providing legible copies of the items to be produced to the attorney whose name appears on this subpoena on or before the scheduled date of production. You may condition the preparation of the copies upon the payment in advance of the reasonable cost of preparation. You may mail or deliver the copies to the attorney whose name appears on this subpoena and thereby eliminate your appearance at the time and place specified above. You have the right to object to the production pursuant to this subpoena at any time before production by giving written notice to the attorney whose name appears on this subpoena. THIS WILL NOT BE A DEPOSITION; NO TESTIMONY WILL BE TAKEN

You are commanded to permit inspection of the following premises at the date and time specified below.

Premises	Date and Time
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Person requesting subpoena: David R. Crosby
 Telephone no: (612) 335-1500

WARNING: FAILURE TO OBEY A SUBPOENA WITHOUT BEING EXCUSED IS A CONTEMPT OF COURT

_____ Signature of Clerk of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida	_____ Date
_____ Name, Address and Phone Number (if issued by Attorney as an Officer of the Court)	_____ SEAL (if issued by Court Administration)

IMPORTANT: Both pages of this document must be served on the person receiving the summons.

RETURN OF SERVICE

State of Minnesota County of _____ I hereby certify and return that on _____ I served a copy of this subpoena upon the person named thereon. Service was made by:	
<input type="checkbox"/> personally handing to and leaving with him or her a true and correct copy; or <input type="checkbox"/> leaving a true and correct copy at his or her usual place of residence	
_____ Address	
with _____ a person of suitable age and discretion. Name of Person	
NOTARY STAMP, SIGNATURE AND DATE Subscribed and Sworn/Affirmed to before me on _____, 20_____ _____	Date _____ By _____ Title _____
NOTE: If served by someone other than a Law Enforcement Officer, signature must be notarized.	

Rule 45, Minnesota Rules of Civil Procedure, provides that:

- A subpoena may be served by any person who is not a party and is not less than 18 years of age.
- Service of a subpoena shall be made by delivering a copy to the person named in the subpoena or by leaving a copy at the person's usual place of abode with some person of suitable age and discretion who resides there.
- A witness who is not a party to the action or an employee of a party (except a person appointed pursuant to Rule 30.02(f)) and who is required to give testimony or produce documents relating to a profession, business, or trade, or relating to knowledge, information, or facts obtained as a result of activities in such profession, business, or trade, is entitled to reasonable compensation for the time and expense involved in preparing for and giving such testimony or producing such documents and is entitled to have the amount of those expenses determined prior to complying with the subpoena.
- A person is not obligated to attend as a witness in a civil case unless one day's attendance and travel fees are paid or tendered in advance (see fees below), unless the subpoena is issued on behalf of the state of Minnesota, or the state's officer or agent.

Fees to be paid to witnesses shall be as follows (Minn. Stat. § 357.22):

- For attending in any action or proceeding in any court of record or before any officer, person or board authorized the take examination of witnesses, \$20 for each day.
- For roundtrip travel estimated from the witness's residence at 28 cents per mile. If a witness lives outside the state, travel costs shall be estimated from the boundary line of the state where the witness crossed into Minnesota at 28 cents per mile. (Additional fees may be available for out of state witnesses).

In any proceeding where a parent or guardian attends the proceeding with a minor witness and the parent or guardian is not a witness, one parent or guardian shall be compensated in those cases where witness compensation is mandatory under Minn. State. § 357.22, and may be compensated when compensation is discretionary under those sections. No more than a combined total of \$60 may be awarded to the parent or guardian and minor witness.

Minn. Stat. § 357.242.

**Exhibit A to Subpoena
Definitions and Instructions**

1. “Prince-Related Entity/Entities” means any and all business entities related to your work with and for Prince Rogers Nelson (“Prince”), including but not limited to entities with the following names:
- 1-800-NU-FUNK;
 - Controversy Music, LLC;
 - Ettreim Enterprises, Inc.;
 - Glam Slam (L.A.), Inc.;
 - Graffiti Bridge, Inc.;
 - Heaven & Earth, Inc.;
 - Jam of the Year, Inc.;
 - L4OA, LLC;
 - Lotus Flower, LLC;
 - Love 4 One Another Charities, Inc.;
 - Love 4 One Another, Inc.;
 - NPG Music and Touring LLC;
 - NPG Music Club, Inc.;
 - NPG Music Publishing, LLC;
 - NPG Music Publishing;
 - NPG Publishing;
 - NPG Records LLC;
 - NPG Records, Inc.;
 - NPG Records;
 - NPG Video;
 - Paisley Park Enterprises, Inc.;
 - Paisley Park Fragrances, Inc.;
 - Paisley Park Miami, Inc.;
 - Paisley Park Online, Inc.;
 - Paisley Park Records;
 - Paisley Park Retail, Inc.;
 - Paisley Park Studios;
 - Paisley Park Vision, Inc.;
 - Paisley Park;
 - Paisley Productions, LLC;
 - Prince: A Celebration, Inc.;
 - PRN Productions, Inc.;
 - Purple Films Company;
 - Reboot Charity;
 - Squeaky Clean; and
 - Tutim Wonphife, Inc.

2. “You” and “your” mean Patrick S. Cousins or Cousins Law APA and any agents that were under your direction and control with respect to Prince and any Prince-Related Entities.
3. The singular form of the word, e.g., “person,” shall refer to the plural as well, and words used in the masculine gender also include the feminine.
4. “Document(s)” has the meaning set forth in Minnesota Rule of Civil Procedure 34 and Florida Rule of Civil Procedure 1.350 and encompasses both physical documents and/or electronically stored information, including but not limited to writings, drawings, graphs, charts, photographs, sound recordings, images, phono-records, and other data or data compilations stored in any medium from which information can be obtained. In addition to any originals, “document(s)” also mean and include copies of any such documents upon which appear any notation, handwriting, or other additions not on the original.
5. “Electronically stored information” and “ESI” have the meaning in accordance with Minnesota Rule of Civil Procedure 34 and the Florida Rules of Civil Procedure and include but are not limited to writings, sound recordings, visual recordings, or data compilations stored on a computer hard drive, server, removable medium such as a floppy disk, CD, DVD, zip disk, flash drive, or USB drive, and any back-up system, archive systems, voice mail system, portable device such a cellular phone, etc., or other technology.
6. ESI should be produced in native format with all metadata preserved, including but not limited to Page Count, Author, Filename, Date Created, Date Last Modified, MD5Hash, Date Sent, Subject, To, From, CC, BCC, Custodian/Source, Link to Extracted Text/OCR file, Link to Native File (as applicable).
7. If any privilege is claimed with respect to a document, identify the document and state the following:
 - a. Its nature (e.g., letter, memorandum, report, tape recording, etc.);
 - b. The date it bears or, if undated, the date it was written or created;
 - c. Its author;
 - d. The identity of each of its recipients;
 - e. Its general subject matter;
 - f. Its present or last known location or custodian; and
 - g. The privilege claimed and the basis therefore.

**Attachment B to Subpoena to Patrick S. Cousins
Requests for Production**

1. Any and all documents—physical and electronic—that reference or relate to Prince Rogers Nelson (“Prince”) and/or any and all Prince-Related Entities, including but not limited to the specific categories of documents detailed below.
2. Any and all documents constituting, referencing, or relating to any and all legal and/or non-legal work done for or in conjunction with Prince and/or any and all Prince-Related Entities, including any and all legal documents and drafts.
3. Any and all documents constituting, referencing, or relating to compensation of any kind for any and all legal work done for or in conjunction with Prince and/or any and all Prince-Related Entities.
4. Any and all documents constituting, referencing, or relating to any conflicts or disputes with Prince and/or any and all Prince-Related Entities.
5. Any and all documents referenced in your letter e-mailed on September 15, 2016, including any and all documents in the referenced 96 boxes of documents and the referenced several files of documents on your computer hard drive.
6. Any and all documents constituting, referencing, or relating to any and all powers of attorney for Prince.
7. Any and all documents constituting, referencing, or relating to your actual or apparent authority to act on behalf of Prince or any Prince-Related Entities, including but not limited to any engagement or retainer letters or agreements.
8. Any and all business organization records and forms constituting, referencing, or relating to any and all Prince-Related Entities.
9. Any and all documents constituting, referencing, or relating to any and all agreements or contracts, whether written or oral, for Prince and/or any Prince-Related Entities.
10. Any and all documents constituting, referencing, or relating to all royalty or licensing contracts, agreements, or arrangements, whether written or oral, for Prince and/or any Prince-Related Entities.
11. Any and all documents referencing or relating to Warner Bros. or any related entities and Prince and/or any Prince-Related Entities.
12. Any and all documents constituting, referencing, or relating to banking and/or investment records of all types for Prince and/or any Prince-Related Entities, including but not limited to statements, cancelled checks, etc.

13. Any and all documents constituting, referencing, or relating to accounting records and/or bookkeeping for Prince and/or any Prince-Related Entities, including but not limited to accounts payable and accounts receivable.
14. Any and all documents constituting, referencing, or relating to inventory records for Prince and/or any Prince-Related Entities, including but not limited to inventory sheets, work-papers, valuation records, purchase, basis and depreciable life of assets, records and work-papers of sales of corporate assets such records disclosing the dates of purchase and sale, cost and sales price, records establishing or adjusting asset basis.
15. Any and all documents constituting, referencing, or relating to taxes for Prince and/or any Prince-Related Entities, including but not limited to accounts payable and accounts receivable.
16. Any and all documents constituting, referencing, or relating to charitable contributions by Prince and/or any Prince-Related Entities, including but not limited to accounts payable and accounts receivable.
17. Any and all documents constituting, referencing, or relating to real estate owned or leased by Prince and/or any Prince-Related Entities.
18. Any and all documents constituting, referencing, or relating to employment, compensation, benefits, and payroll records for Prince and/or any Prince-Related Entities, including but not limited to IRS Employees Withholding Exemption Certificate (Form W-4), IRS Wage and Tax Statements (Forms W-2) disclosing annual wages, U.S. Information Returns (Forms 1099) disclosing fees, commissions, etc., all background records including applications for employment, personnel files, credit checks, background investigations, etc., and records disclosing the dates of employment, wages and/or commissions paid, checks (front and back).
19. Any and all computers, hard drives, and flash drives used for work for Prince and/or any Prince-Related Entities.
20. Any and all tangible things that belonged to Prince and/or any Prince-Related Entities, including but not limited to the following: any physical media (for example, audio tapes, video tapes, CDs, etc.); awards; signature stamps.
21. Any and all documents—physical and electronic—that reference or relate to Love 4 One Another or Love 4 One Another and/or the transfer of property located at 1119 Morgan Ave. North, Minneapolis, MN.