

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In the Matter of:

Court File No. 10-PR-16-46
Judge Kevin W. Eide

Estate of Prince Rogers Nelson,

Decedent.

**COMERICA BANK & TRUST, N.A.'S
NOTICE OF MOTION AND MOTION TO
APPROVE SETTLEMENT AGREEMENT
AND RELEASE**

[REDACTED]

PLEASE TAKE NOTICE that Comerica Bank & Trust N.A., as the Personal Representative of the Estate of Prince Rogers Nelson (the "Personal Representative"), by and through its counsel, moves the Court for an order approving the Settlement Agreement and Release ("Settlement Agreement") by and between the Personal Representative and Mixed Blood Theatre ("Mixed Blood"). The Settlement Agreement provides for the full and complete resolution of all matters relating to (1) Mixed Blood's Written Statement of Claim and Petition for Allowance of Claim Previously Allowed in connection with Carver County Court File No. 10-PR-16-46; and (2) Mixed Blood's Amended Complaint in connection with Carver County Court File No. 10-CV-17-166.

A copy of the Settlement Agreement is attached hereto as Exhibit A. Upon request by the Court, this motion could be supported by additional affidavits submitted under seal, arguments of counsel at the time of any hearing.

Dated: September 12, 2017

/s/ Joseph J. Cassioppi

Mark W. Greiner (#0226270)

Joseph J. Cassioppi (#0388238)

Emily A. Unger (#0393459)

FREDRIKSON & BYRON, P.A.

200 South Sixth Street

Suite 4000

Minneapolis MN 55402-1425

612-492-7000

612-492-7077 fax

mgreiner@fredlaw.com

jcassioppi@fredlaw.com

eunger@fredlaw.com

Attorneys for Comerica Bank & Trust, N.A.

EXHIBIT A

SETTLEMENT AGREEMENT AND RELEASE

This Settlement Agreement and Release (“Agreement”) is made this 8th day of September, 2017 (“Effective Date”), by and among Mixed Blood Theatre (“MBT”); Bremer Trust, N.A., the former Special Administrator for the Estate of Prince Rogers Nelson (“Bremer Trust”); Paisley Park Enterprises, Inc. (“Paisley Park Enterprises”); and Comerica Bank & Trust, N.A., the Personal Representative of the Estate of Prince Rogers Nelson (hereinafter, “Comerica”). MBT, Bremer Trust, Paisley Park Enterprises and Comerica shall collectively be referred to hereinafter as “the Parties.”

RECITALS

WHEREAS, on February 15, 2016, MBT had entered into a contract with Paisley Park Enterprises and Barron Event Planning and Management (“Barron”) for an anniversary gala event to be held at Paisley Park studios on May 14, 2016 (the “Gala”);

WHEREAS, Prince Rogers Nelson died on April 21, 2016 and, shortly thereafter, Bremer Trust was appointed as Special Administrator for the Estate of Prince Rogers Nelson;

WHEREAS, after Prince Rogers Nelson’s death, representatives from Bremer Trust informed MBT that the Gala could not go forward at Paisley Park on May 14, 2016;

WHEREAS, in the probate proceeding in Carver County Court File No. 10-PR-16-46 (the “Probate Action”), MBT filed a claim with the Estate of Prince Rogers Nelson that was later denied;

WHEREAS, Bremer Trust’s service as Special Administrator ended on January 31, 2017, and Comerica was appointed as the Personal Representative of the Estate of Prince Rogers Nelson effective February 1, 2017;

WHEREAS, on February 8, 2017, MBT filed a Petition for Allowance of Claim Previously Disallowed in the Probate Action;

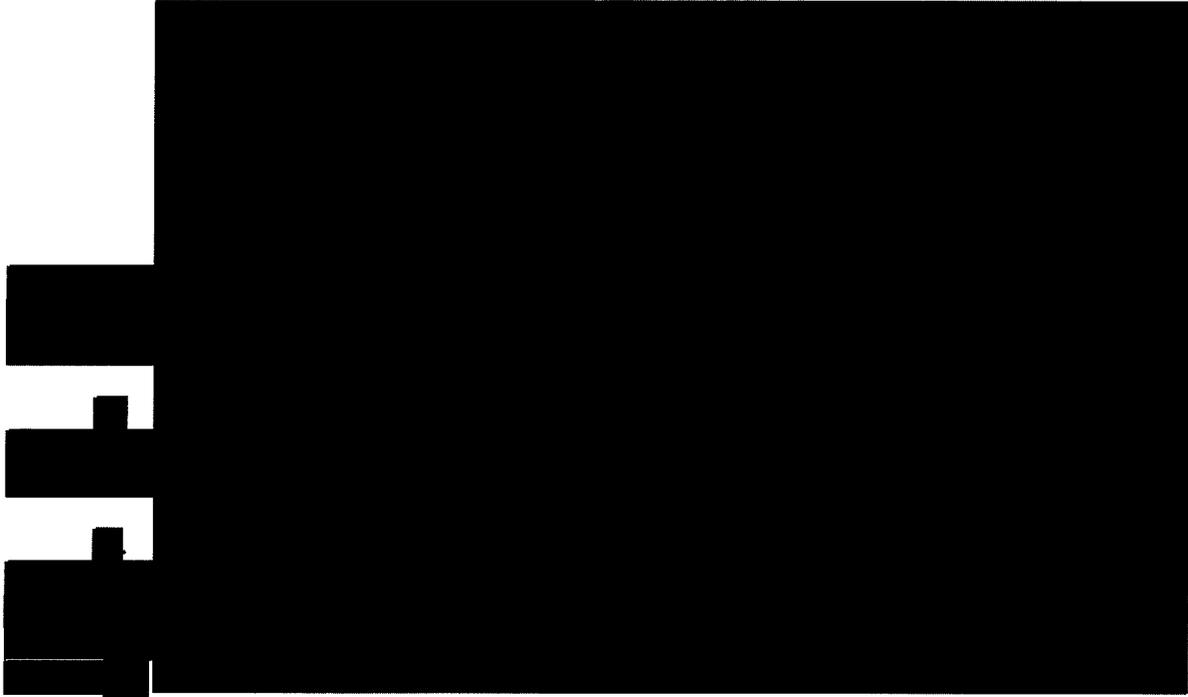
WHEREAS, on February 8, 2017, MBT also filed a lawsuit against Barron, Paisley Park Enterprises, Comerica, and Bremer Trust, and Barron filed a Crossclaim, in a separate civil action in Carver County Court File No. 10-CV-17-166 (the “Civil Action”), and the Probate Action was stayed pending resolution of the Civil Action; and

WHEREAS, the Parties desire to resolve the Civil Action and Probate Action claims, as and among themselves, on the terms and conditions set forth below;

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties and each of them agree as follows:

AGREEMENT

[REDACTED]



IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date and year first above written.

Date: _____

MIXED BLOOD THEATRE

By: *[Signature]*
(name) Jack Reiter
Its: Artistic Director

Date: _____

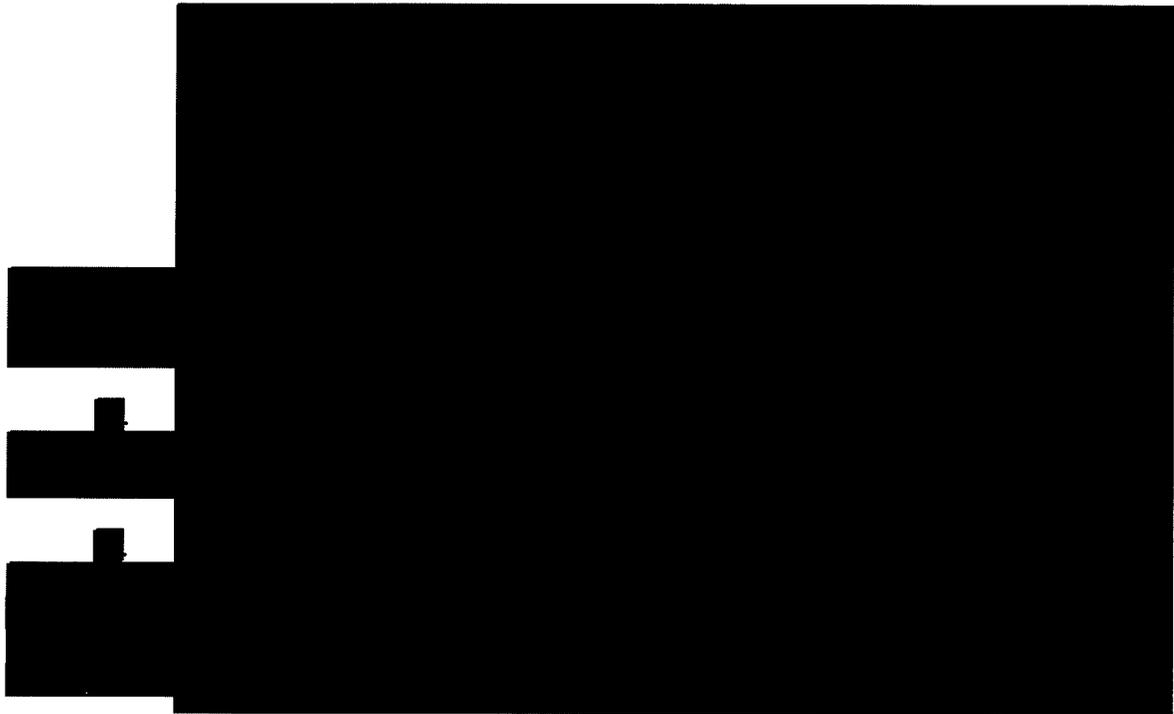
COMERICA BANK & TRUST, N.A., IN ITS
CAPACITY AS THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF
PRINCE ROGERS NELSON

(name) _____
Its: _____

Date: _____

BREMER TRUST, N.A., SPECIAL
ADMINISTRATOR OF THE ESTATE OF
PRINCE ROGERS NELSON

(name) _____
Its: _____



IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date and year first above written.

MIXED BLOOD THEATRE

Date: _____

By: _____
(name) _____
Its: _____

COMERICA BANK & TRUST, N.A., IN ITS
CAPACITY AS THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF
PRINCE ROGERS NELSON

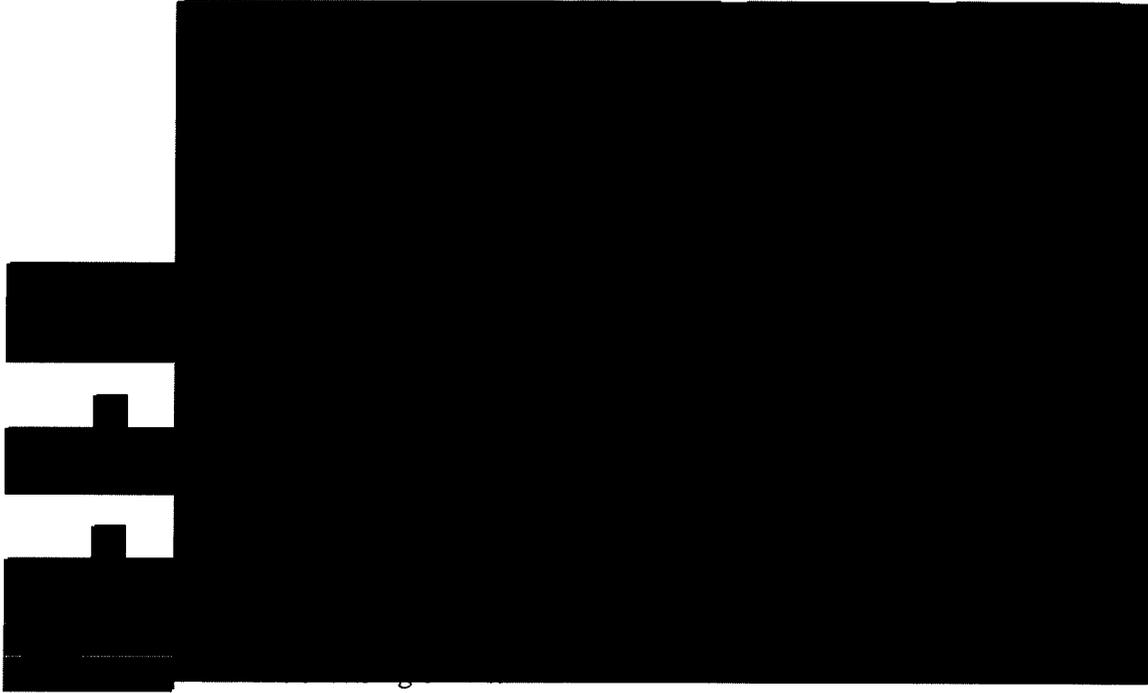
Date: 9/8/2017

Andrea L. Bruce
(name) Andrea L. Bruce
Its: Vice President

BREMER TRUST, N.A., SPECIAL
ADMINISTRATOR OF THE ESTATE OF
PRINCE ROGERS NELSON

Date: _____

(name) _____
Its: _____



IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date and year first above written.

MIXED BLOOD THEATRE

Date: _____

By: _____
(name) _____
Its: _____

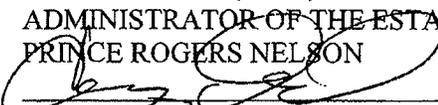
COMERICA BANK & TRUST, N.A., IN ITS
CAPACITY AS THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF
PRINCE ROGERS NELSON

Date: _____

(name) _____
Its: _____

BREMER TRUST, N.A., SPECIAL
ADMINISTRATOR OF THE ESTATE OF
PRINCE ROGERS NELSON

Date: 9/8/17


(name) CRAG N. ORDAL
Its: PRESIDENT