

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.

**DECLARATION OF JOSEPH J. CASSIOPPI
IN SUPPORT OF COMERICA'S MOTION TO
HOLD GREGG WALKER IN
CONTEMPT OF COURT**

[REDACTED]

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., the Personal Representative of the Estate of Prince Rogers Nelson.
2. Attached hereto as Exhibit A is a true and correct copy of a letter from Steven Silton filed with the Court on February 19, 2019.
3. Attached hereto as Exhibit B is a true and correct copy of a letter from Steven Silton to me dated February 25, 2019, with enclosures.
4. On February 25, counsel for Michael Lythcott produced to us what they represented was a subset of what they produced to the Court. Mr. Lythcott's production consisted of 9,561 emails and other documents. Because of problems with the metadata provided with the production (which counsel for Mr. Lythcott sent us a fix for late last week), we have reviewed to date only a small portion of the 9,561 records.
5. Attached hereto as Exhibit C is a true and correct copy of an email dated August 24, 2018 between Gregg Walker and Mr. Lythcott. This email was included in Mr. Lythcott's February 25, 2019 production.

6. Attached hereto as Exhibit D is a true and correct copy of an email dated August 27, 2018 between Leland O'Connor, Gregg Walker and Mr. Lythcott, along with the attachment to the email. This email and the attachment were included in Mr. Lythcott's February 25, 2019 production.

7. Attached hereto as Exhibit E is a true and correct copy of an email dated September 23, 2018 between Mr. Lythcott, Mr. Walker, and Arnold Jung, along with six of the seven attachments to the email. The seventh attachment is a large excel spreadsheet that is impractical to print. This email and the attachments were included in Mr. Lythcott's February 25, 2019 production. We have separately designated the attachments as Exhibit E-1 (for the pitch book), Exhibit E-2 (for the redlined "Example Term Sheet"), Exhibit E-3 (for the clean "Example Term Sheet"), Exhibit E-4 (for the "Process Letter"), Exhibit E-5 (for the "Example Term Sheet"), and Exhibit E-6 (for the "Example Letter Agreement").

8. Attached hereto as Exhibit F is a true and correct copy of an email dated November 2, 2018, along with the attachments to the email. This email and the attachments were included in Mr. Lythcott's February 25, 2019 production.

9. Attached hereto as Exhibit G is a true and correct copy of excerpts from an excel spreadsheet entitled "AccessReport (By User, Last Viewed On).xls," which was produced by Mr. Lythcott as part of his February 25, 2019 production and which I understand to be the data site access log required by the Court's February 13, 2019 Order. Because of the size of the spreadsheet, we have printed off only those excerpts necessary to show which records were included on the data site and the individuals to whom access was provided. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
TRUE AND CORRECT.**

Dated: March 5, 2019

/s/ Joseph J. Cassioppi
Joseph J. Cassioppi

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EXHIBIT A

TO

JOSEPH J. CASSIOPPI



February 19, 2019

VIA ECF

Steven H. Silton

Direct Phone 612-260-9003

Direct Fax 612-260-9083

ssilton@cozen.com

The Honorable Kevin W. Eide
Judge of District Court
Carver County District Court
604 East Fourth Street
Chaska, MN 55318

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

Dear Judge Eide:

This letter is submitted on behalf of Gregg Walker. At the telephonic hearing on February 13, 2019 a document was referenced, generally referred to as a "Pitch Book." The document was purportedly attached to a letter of White, Wiggins & Barnes, LLP. While there is an entirely redacted copy of a 75 page document filed by White, Wiggins & Barnes, LLP with the court, there is not a corresponding sealed document filed. I do not have a copy of this document, and my client has indicated to me he is not in possession of any document that fits the description of a "Pitch Book."

Given that this document was a part of the record that your Honor used to issue an order on February 13, 2019, it is essential that I have a copy of that document. I respectfully request that you issue an order that a copy be provided to me.

Respectfully submitted,

s/ Steven H. Silton

SHS:aeK

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EXHIBITS B - G

TO

JOSEPH J. CASSIOPPI

FILED UNDER SEAL