

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CARVER

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.

**MEMORANDUM IN SUPPORT OF
SECOND SPECIAL ADMINISTRATOR'S
MOTION TO FILE REPLY MEMORANDUM IN
FURTHER SUPPORT OF MOTION FOR
REFUND OF FEES UNDER SEAL**

Pursuant to Minn. Stat. § 524.3-617 and the Court's letters of special administration dated August 18, 2017, Peter J. Gleekel and Larson • King, LLP were appointed the Second Special Administrator of Decedent's estate. By this Court's February 2, 2018 Order, the authority of the Second Special Administrator was expanded. On June 14, 2018, this Court issued an Order & Memorandum Approving Litigation, allowing the Second Special Administrator "to pursue, on behalf of the Estate, all claims recommended in its reports."

The Second Special Administrator, on behalf of the Estate, has brought a motion for a refund of the commissions paid to the expert entertainment advisors CAK Entertainment, Inc./Charles Koppelman and North Star Enterprises Worldwide, Inc./L. Londell McMillan in conjunction with the terminated Jobu Presents Agreement and Court-ordered, rescinded UMG Agreement. Pursuant to Minnesota Statute Section

524.3-721, this Court is vested with the equitable power to order a refund of the overpayment of unreasonable compensation to any person who has performed services on behalf of the Estate.

The Second Special Administrator intends to file a publicly-available, redacted version of its Reply Memorandum of Law in Further Support of the Second Special Administrator's Motion for Refund of Fees, but seeks to file an un-redacted version under seal. As a result, the Second Special Administrator has filed a motion to file the un-redacted version of the Reply Memorandum under seal.

The Reply Memorandum refers to the Estate's confidential business records and information that is entitled to protection. The filing of the un-redacted version of the Reply Memorandum under seal is appropriate and necessary to maintain confidentiality. Indeed, certain agreements and other business records that are attached to the Gleekel Declaration have already been sealed by this Court. Specifically, the redacted and sealed information qualifies as confidential commercial information under Minn. R. Civ. P. 26.03(g) and there is no historical right of access to the information under the test articulated in *Minneapolis Star & Tribune Cl. v. Schumacher*, 392 N.W.2d 197 (Minn. 1986). Revealing the confidential information contained in the Reply Memorandum could adversely impact the ongoing administration of the Estate.

Accordingly, the Second Special Administrator respectfully requests that this Court issue an Order allowing the un-redacted version of the Reply Memorandum be filed under seal.

Date: September 28, 2018

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SECOND SPECIAL ADMINISTRATOR

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