

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In Re:

Estate of Prince Rogers Nelson,
Decedent.

Case Type: Special Administration
Court File No.: 10-PR-16-46
Judge: Kevin W. Eide

**ALFRED JACKSON AND OMARR
BAKER'S OBJECTION TO COMERICA
BANK & TRUST'S REQUEST FOR
DISCHARGE OF LIABILITY**

INTRODUCTION

Alfred Jackson ("Jackson"), by and through counsel, and Omarr Baker ("Baker") submit this objection to Comerica Bank & Trust ("Comerica") request for discharge from any and all liability associated with its administration of the Estate from February 1, 2017, through January 31, 2018, filed on September 7, 2018.

Comerica's request for discharge through the above dates is premature and unnecessary for multiple reasons. Jackson and Baker request that any discharge for Comerica be stayed until they have completed a final accounting and are no longer serving as Personal Representative. See §524.3-608 (stating a Special Administrator cannot be discharged from liability without providing a full accounting) If the court were to allow Comerica a discharge from liability now it could have significant negative effects on the entirety of the Estate. There are multiple unresolved issues that need to be addressed before Comerica is granted any discharge from liability including specifically the entering into of the Common Interest Agreement between Comerica and the prior Special Administrator, Bremer Trust, N.A. ("Bremer"), which was objected to at the time by attorneys for Mr. Baker. The Common Interest Agreement has caused significant unnecessary expenses to the Estate because Comerica is unable to defend the Estate against Bremer, its agents, or third parties

associated with Bremer and thus have been unable to completely perform their fiduciary duties. These expenses include, but are not limited to, the need for appointing a Second Special Administrator to investigate wrong doings by Bremer, it's agents, and other third parties and to bring claims on behalf of the Estate.

Jackson and Baker now ask the court to stay any discharge requested by Comerica until a time after they have concluded their role as Personal Representative, a final accounting has been completed and the extent of monetary damages can be calculated regarding The Common Interest Agreement among other possible issues.

It is also premature to grant Comerica a discharge before any and all claims against Bremer have been resolved because, as we have seen in this case, a Special Administrator or Personal Representative's liability cannot be fully ascertained until the administration of the Estate is turned over to another party.

Further, Mr. Jackson and Mr. Baker object to any discharge on the basis that IRS has not completed their tax audit on the Estate, which was filed by Comerica. Until the IRS has made a final determination in regards to taxes it is premature to discharge Comerica from any liability.

On a final note, the heirs are skeptical about the timing of this request by Comerica as it comes shortly after the majority of the Heirs terminated their attorneys and started acting Pro Se. The Heir's objective by acting Pro Se was to eliminate administrative costs to the Estate and to try and streamline any issues and concerns they have with Comerica. This has also included entering into mediation with Justice Gilbert on multiple issues, which has seemed to have the desired effect of cost savings. Now, this request for a discharge of liability and the way it was presented does nothing but further alienate the Heirs from Comerica and has made many of them question the actual motivations behind Comerica's discharge request.

If the court decides a hearing is necessary in these circumstances Mr. Jackson and Mr. Baker request that the parties hold a mediation to resolve this issue with the least expense to The Estate possible.

Dated: September 21, 2018

Decerto Law

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