



PRESS RELEASE

March 28, 2018

**CARVER COUNTY ATTORNEY MARK METZ ANNOUNCES
LAW FIRM TO INSPECT CARVER COUNTY SHERIFF'S DATA PERTAINING
TO PRINCE ROGER NELSON'S DEATH INVESTIGATION, SUBJECT
TO A STRICT PROTECTIVE COURT ORDER.**

Carver County Attorney Mark Metz announces that the Carver County Attorney's Office entered into a stipulation on March 28, 2018, with the Schwebel, Goetz & Sieben Law Firm (Law Firm). Subject to a strict protective court order issued by the Honorable Kevin Eide, the Law Firm may inspect Carver County Sheriff's data pertaining to Prince's death investigation to determine whether sufficient evidence may exist to support a civil lawsuit before the Illinois two-year statute of limitations expires.

- Attached is a copy of the Stipulation and Order filed in Carver County District Court File Number 10-CV-18-114.

Carver County Attorney Metz commented that this carefully constructed agreement between the parties balances the important competing interests between the need for law enforcement confidentiality during the investigative phase without obstructing a potential civil lawsuit in Illinois.

The agreement is in full compliance with the Minnesota Government Data Practices Act. In brief, because the Carver County Attorney's Office has not made its final charging decision, this investigation remains active and the law enforcement reports therefore remain classified as *confidential* or *protected nonpublic* data pursuant to Minn. Stat. § 13.82, Subd. 7. However, this agreement allows the Law Firm to inspect this investigative data at the Carver County Sheriff's Office under specific and strict conditions. Therefore, the Law Firm may meaningfully explore the possibility of a civil action on behalf of Prince's next-of-kin before the applicable two-year statute of limitations expires in Illinois.

County Attorney Metz recognizes there is widespread public interest in this case. While Attorney Metz cannot give an exact date at this time, he will announce a final charging decision in the near future.

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Filed in First Judicial District
Mar 28 2018, 10:54 am
Carver County, MN

State of Minnesota
Carver County

District Court
First District

Court File Number: **10-CV-18-114**

Case Type: Civil Other/Misc.

FILE COPY

Notice of Filing of Order

**Trustees for the Next-of-Kin of Prince Rogers Nelson vs Carver County Sheriff's Office,
Medical Examiner's Office, Carver County Attorney's Office**

You are notified that an order was filed on this date.

Dated: March 28, 2018

Mary P. Dalbec
Court Administrator
Carver County District Court
604 East Fourth Street
Chaska Minnesota 55318
952-361-1420

cc: Carver County Sheriff's Office
Medical Examiner's Office
Carver County Attorney's Office
JOHN C GOETZ

A true and correct copy of this notice has been served pursuant to Minnesota Rules of Civil Procedure, Rule 77.04.

FILED

STATE OF MINNESOTA
COUNTY OF CARVER

MAR 28 2018
CARVER COUNTY COURTS

DISTRICT COURT
FIRST JUDICIAL DISTRICT

District Court File No. 10-CV-18-114

Trustees for the Next-of-Kin
of Prince Rogers Nelson,

Plaintiff,

-vs-

**STIPULATION AND
PROTECTIVE ORDER**

Carver County Sheriff's Office,

Respondent.

The above-entitled matter came on for hearing before the Honorable Kevin Eide, Judge of District Court, on Wednesday, March 28, 2018, at the Carver County Courthouse. This matter was scheduled pursuant to Plaintiff's Motion to Compel the Carver County Sheriff's Office to release its law enforcement investigative data related to the death investigation of Prince Rogers Nelson.

Attorney Matthew Barber, Schwebel, Goetz & Sieben, P.A., appeared on behalf of the Plaintiff. Mark Metz, Carver County Attorney, and Peter Ivy, Chief Deputy Carver County Attorney, appeared on behalf of the Respondent.

The parties, wishing to resolve this matter without the need for litigation or an *in camera* review, hereby agree as follows:

STIPULATION

1. The investigative data remains classified as confidential or protected nonpublic data since the law enforcement investigation remains active. Minn. Stat. § 13.82, Subd. 7.
2. In good faith, the Plaintiff is exploring the possibility of filing a civil lawsuit in Illinois.
3. The applicable statute of limitations in Illinois for such a lawsuit expires on April 21, 2018.
4. Despite the current data classification, the parties agree that Plaintiff requires some limited access to the investigative data created, collected, and maintained

by the Carver County Sheriff's Office to determine whether Plaintiff may proceed in filing a *prima facie* claim in Illinois.


5. The parties agree that Plaintiff may examine the Carver County Sheriff's law enforcement files pertaining to the Prince Rogers Nelson death investigation but under strict parameters.
6. Strictly controlled access to this data by the Plaintiff for the sole purpose of determining whether a valid lawsuit may exist in Illinois before the statute of limitations expires outweighs potential harm to the public, so long as the confidentiality of the data remains assiduously protected before any final decision is made to charge or decline criminal charge(s).
7. As Officers of the Court, Attorneys for the Plaintiff stipulate that the only single purpose of examining this data is to determine whether a meritorious lawsuit may exist in Illinois.

ORDERS

1. The Carver County Sheriff's Office shall allow the Plaintiff to examine case data at the Carver County Sheriff's Office during the week of April 2, 2018, and as Plaintiff may arrange with the Carver County Sheriff's Office.
2. The Carver County Sheriff may produce the data in electronic form so long as the electronic format contains the same data as the paper files.
3. Access by the Plaintiff is strictly limited to the following licensed attorneys representing Princes' next-of-kin (hereafter Plaintiff's Attorneys):
 - Attorneys John Goetz, William R. Sieben, and Matt Barber of Schwebel, Goetz & Sieben, P.A.
 - Attorneys George Loucas, Zack Anderson and Ellen Hirshman of Loucas Law, P.A.
4. Plaintiff's Attorneys may not copy or photograph any of the data.
5. Plaintiff's Attorneys may take and retain notes as they inspect the data; however, when not in use by the Plaintiff's Attorneys, such notes shall be maintained in a secure, locked manner at the Law Firm(s), accessible only to the Plaintiff's Attorneys.
6. Other than any notes taken, Plaintiff's Attorneys are not entitled to remove or take any data in physical form from the Carver County Sheriff's Office.

7. Plaintiff's Attorneys may only use this data in determining whether sufficient cause may exist to file a civil lawsuit in Illinois; Plaintiff's Attorneys shall not use this data for any other purpose.
8. Unless and until the data classification changes, Plaintiff's Attorneys shall not share any information with any third parties, including but not limited to members of the media, Plaintiff's client(s) (Prince's next-of-kin), and all other legal staff in Plaintiff's law office(s).
9. In determining whether to file a lawsuit in Illinois, only the six named Plaintiff's Attorneys may discuss the data; such private conversations must take place in a controlled and confidential setting, so no data is shared, including through the means of voice or audio transmission to other attorneys and office staff working in Plaintiff's law office(s).
10. Violations of this Order may constitute contempt of court and is a violation of the Minnesota Government Data Practices Act.

Dated: 3/28/18

Signed: 
Judge Kevin Eide