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16 Attorneys for Lynne Spears

17 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

18 COUNTY OF LOS ANGELES

19 In the Matter of the Conservatorship of

Case No. BP108870

**PETITION FOR PERMISSION TO HIRE
PRIVATE LEGAL COUNSEL**

EVIDENTIARY HEARING
REQUESTED

20 BRITNEY JEAN SPEARS

DATE: July 14, 2021 (ok to set)

TIME: 1:30 p.m.

DEPT: 4

JUDGE: Hon. Brenda J. Penny

Per Ex Parte order 7/2/21

24 In an April 27, 2021 hearing in the underlying conservatorship matter, Conservatee Britney Jean
25 Spears (hereafter "Conservatee"), through her Court-appointed counsel of record, requested to be heard
26 by the Court, and on June 23, 2021, in a very courageous showing, Conservatee appeared by phone and
27 spoke for almost twenty-five minutes, baring her heart to the Court in an impassioned plea to be heard
28

1 on several requests. Petitioner Lynne Spears, interested party and mother of the Conservatee, hereby
2 petitions this Court to listen to the wishes of her daughter, and as a first step, respectfully requests an
3 Order granting permission to the Conservatee to hire her own private legal counsel, or, in the alternative,
4 an Order appointing a private attorney of Conservatee's choosing. Appointment of independent counsel
5 is mandatory at this juncture. To that end, Petitioner alleges as follows.

6 **I. The Conservatee's Requests**

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8 On June 23, 2021, Conservatee appeared before this Court and made specific requests regarding
9 the ongoing Conservatorships of her person and estate ("June 23 Hearing"). Counsel for Petitioner notes
10 that a transcript of the June 23 hearing was requested and payment submitted to Court Reporter Luna
11 last week and it is anticipated that the hearing transcript will be available momentarily; however, given
12 the urgency of this situation, the Petitioner believes the immediate filing of this Petition is warranted.
13 Any supplementation that may be necessary due to the receipt of the transcript will follow.

14 Specifically, in the June 23 Hearing, Conservatee requested changes going forward, including:

- 15 a. That the Conservator of her estate be removed;¹
16
17 b. That the Conservatorship be terminated without her having to endure another evaluation;²
18
19 c. That she be allowed to own her own money;³

20 ¹ Conservatee testified at the June 23 Hearing, referring to her impression as to the lack of results from
21 her testimony before the court two years ago "by just keeping the conservatorship going, and also
22 keeping my dad in the loop, made me feel like I was dead – like I didn't matter, like nothing had been
23 done to me, like you thought I was lying or something. I'm telling you again, because I'm not lying. I
want to feel heard. And I'm telling you this again, so maybe you can understand the depth and the degree
and the damage that they did to me back then."

24 ² As Conservatee testified at the June 23 Hearing: "I don't think I owe anyone to be evaluated. I've done
25 more than enough. I don't feel like I should even be in a room with anyone to offend me by trying to
26 question my capacity of intelligence, whether I need to be in this stupid conservatorship or not." "It's
my wish and my dream for all of this to end without being tested." "I've met with enough people against
my will." "I don't want to be evaluated, and be sat in a room with people four hours a day, like they did
me before."

27 ³ Elaborating on her wish to own her own money in the June 23 Hearing: "I shouldn't be in a
28 conservatorship if I can work and provide money and work for myself and pay other people – it makes
no sense What state allows people to own another person's money and account and threaten them

- 1 d. That she be allowed to ride in her boyfriend's car;
- 2 e. That she be allowed to use her voice to take up for herself;⁴
- 3 f. That she be allowed to handpick her own lawyer by herself;
- 4 g. That she be allowed to meet once a week with her therapist, at her home;⁵
- 5 h. That she be allowed to see her friends;⁶
- 6 i. That she be allowed to get married and have a baby; and, to that end
- 7 j. That she be allowed to have her IUD removed.⁷

8
9 This Motion to Appoint Private Counsel is of the utmost importance and may very well impact
10 each and every of the other requests submitted by Conservatee in her live testimony at the June 23
11 Hearing. It is self-evident that before the Court addresses, for example, the termination of the
12 conservatorship, Conservatee must be allowed to consult with counsel of her choosing. As she herself
13 testified in her June 23, 2021 Conservatorship hearing: "I didn't know I could petition the
14 conservatorship to end it. I'm sorry for my ignorance, but I honestly didn't know that." Clearly
15

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18 _____
19 and saying, 'You can't spend your money unless you do what we want you to do.' And I'm paying
20 them."

21 ⁴ Conservatee testified at the June 23 Hearing: "I have the right to use my voice and take up for myself.
22 My attorney says I can't. It's not good. I can't let the public know anything they did to me and by not
23 saying anything, is saying it's okay." "My own people say I can't say anything."

24 ⁵ As Conservatee testified at the June 23 Hearing: "I deserve privacy when I go and have therapy, either
25 at my home, like I've done for eight years. They've always come to my home." "It's not okay for them
26 to send me ... to that small room like that twice a week with another new therapist that I pay" "I
27 begged them to make sure that they did this at my home, so I would have privacy. I deserve privacy."
28 "I want this therapist once a week. I just want him to come to my home."

⁶ Conservatee testified at the June 23 Hearing: "I'm not able to see my friends that live eight minutes
away from me, which I find extremely strange."

⁷ Conservatee testified at the June 23 Hearing: "I wanted to take the [IUD] out so I could start trying to
have another baby. But this so-called team won't let me go to the doctor to take it out because they don't
want me to have children – any more children." "I deserve to have the same rights as anybody does, by
having a child, a family, any of those things, and more so."

1 Conservatee needs private counsel to advise her as to her basic rights in this conservatorship. Petitioner
2 respectfully requests that the issue of Conservatee hiring private counsel be heard on an expedited basis.

3 **II. The Conservatee's Capacity**

4 It is beyond dispute that this is a unique conservatorship. In the original Petition for Appointment
5 of a Temporary Conservator of the Person, Conservatee's given address was the UCLA Medical Center.
6 That was over thirteen years ago. Now, and for the past many years, Conservatee is able to care for her
7 person and in fact has, inside of the parameters of this conservatorship, earned literally hundreds of
8 millions of dollars as an international celebrity. To earn this money, Conservatee has had to perform in
9 front of millions of people, has had to manage hundreds of performances, has had to use her artistic and
10 creative talents to prepare for shows by choreographing each and every move for and interacting with
11 many co-performers, and has had to rehearse and perform for many thousands of hours over the years.
12 As she testified on June 23 about preparing for her Las Vegas residency "I rehearsed four days a
13 week....I was basically directing most of the show. I actually did most of the choreography, meaning I
14 taught my dancers my new choreography myself I wasn't good – I was great. I led a room of 16 new
15 dancers in rehearsals." Her capacity is certainly different today than it was in 2008, and Conservatee
16 should no longer be held to the 2008 standard, whereby she was found to "not have the capacity to retain
17 counsel."
18
19

20 **III. California Law Contemplates The Appointment Of Private Counsel For A** 21 **Conservatee.**

22 A conservatee may request private counsel pursuant to California law. For example, the
23 California Probate Code provides in Section 1471(a):

24 If a conservatee ... is unable to retain legal counsel and requests the appointment of counsel to
25 assist in the particular matter, whether or not that person lacks or appears to lack legal capacity,
26 the court **shall**, at or before the time of the hearing, appoint the public defender or **private**
27
28

1 **counsel to represent the interest of that person** in the following proceedings under this
2 division:

3 ...

4 (2) A proceeding to terminate the conservatorship.

5 (3) A proceeding to remove the conservator.

6 (emphasis added).

7
8 Thus, in order to allow Conservatee to either terminate the conservatorship or remove the
9 conservator, both among the requests she voiced at the June 23 Conservatorship hearing, if the court
10 determines that the conservatee is unable to retain legal counsel (because of the 2008 Order as to her
11 capacity to retain counsel) and requests the appointment of counsel, the court **shall** appoint private
12 counsel.

13 Additionally, Section 1470 of the California Probate Code allows the court to “appoint private
14 legal counsel for a ... conservatee ... in any proceeding under this division if the court determines the
15 person is not otherwise represented by legal counsel and that the appointment would be helpful to the
16 resolution of the matter or is necessary to protect the person's interests.” California Probate Code Section
17 1470(a). While Conservatee is represented in the conservatorship by her Court-appointed attorney Sam
18 Ingham, she did not participate in the decision to appoint him. If nothing else, that militates for
19 Conservatee to be able to make a choice as to her legal counsel.
20

21 **IV. Conclusion**

22 WHEREFORE, for the reasons stated hereinabove, Petitioner prays for an Order of this Court:

- 23
24 1. Granting Conservatee permission to hire her own private legal counsel, or, in the alternative,
25 2. Appointing a private attorney of Conservatee’s choosing, and

26 ///

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1 3. Granting such further relief as the Court may consider proper.

2 Dated: July 1, 2021.

3 /s/ Gladstone N. Jones, III
4 GLADSTONE N. JONES, III

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VERIFICATION

STATE OF LOUISIANA)
PARISH OF TANGIPAHOA)

I have read the foregoing **PETITION FOR PERMISSION TO HIRE PRIVATE LEGAL COUNSEL** and know its contents. The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed July 6, 2021 at Tangipahoa, Louisiana.


Lynne Spears (Jul 6, 2021 14:08 CDT)

LYNNE SPEARS

Proof of Service

1 I, the undersigned, declare and say as follows:

2 I am 18 years of age or older, employed at the business noted above my signature which is in the county
3 where any mailing herein states occurred, and not a party to the within actions.

4 On July 6, 2021, I caused to be served the documents(s) listed below my signature under the heading
5 "Document(s) Served" by placing a copy of the document(s) (or the original, if so noted below) in individual
6 envelope for each of the parties listed below my signature under the heading "Parties Served" (except for fax-
7 only service), addressed to them at their last known addresses in this action exactly as shown (excepting
8 parenthetical referenced to their capacity), there being U.S. Mail delivery service to those addresses used for
9 service by mail, and by sealing said envelopes, and on the same day, as marked with "X" by --.

10 placing each envelope for collection and
11 processing for mailing following my firms
12 ordinary business practice with which I am
13 readily familiar and under which on the same day
14 correspondence is so placed for mailing it is
15 deposited in the ordinary course of business with
16 the U.S. Postal Service at my business address,
17 1st-class postage fully prepaid.

faxing each page of each document and this
proof of service to the parties served at their last
known fax numbers as listed below from a fax
machine located at my business address which
reported no errors and which produced a
transmission confirmation report, a true copy [
 email each page of each document and this
proof of service to the parties served at their last
known email address and which produced a
transmission confirmation report, a true copy.

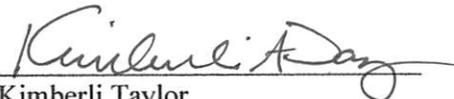
18 depositing each envelope into the U.S.
19 Mail with 1st-class postage fully prepaid at a mail
20 box or collection facility in the city and state of
21 my business address. "Parties Served" lists all
22 parties and counsel served in the within matter,
23 and their respective capacities. [required for
24 federal cases, including bankruptcy, among
25 others].

depositing each envelope at a drop box or
other facility in the city and state of my business
address within the time and pursuant to
procedures readily familiar to me necessary for
delivery by Federal Express on the morning
of the next business day or
 by courier on the same day, (use only if
overnight or courier services authorized or as a
supplement.).

26 via electronic mail:

27 personal delivery by traveling to the address shown on the envelope and delivering it there during
28 normal business hours or handing the document(s) to the person served.

I declare under penalty of perjury under the laws of the State of California and the United States that the
foregoing is true and correct and that this declaration was executed on July 6, 2021, at my business address,
8011 Brixham Place, Fort Wayne, IN 46835.


Kimberli Taylor

Documents Served
PETITION FOR PERMISSION TO HIRE PRIVATE LEGAL COUNSEL

Person(s) Served
SEE ATTACHED

SERVICE LIST

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2021-07-03 Petition for Private Counsel v2

Final Audit Report

2021-07-06

Created:	2021-07-06
By:	Yasha Bronshteyn (yb.gblp@outlook.com)
Status:	Signed
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