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10 Attorneys for JAMES P. SPEARS,  
11 Conservator of the Estate

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

14 In re the Conservatorship of the Person and  
15 Estate of

16 **BRITNEY JEAN SPEARS,**  
17  
18 Conservatee.

Case No. BP 108870

Hon. Brenda Penny, Dept. 4

**JAMES P. SPEARS' RESPONSE TO  
PETITION FOR ORDER ASSOCIATING  
LITIGATION COUNSEL FOR  
CONSERVATEE**

Date: October 14, 2020

Time: 9:30 a.m.

Dept.: 4

19  
20 James P. Spears, Conservator of the Estate (“Mr. Spears”), respectfully submits his  
21 Response to Petition for Order Associating Litigation Counsel for Conservatee (the “Litigation  
22 Counsel Petition”), which was filed with this Court on September 18, 2020, as follows.

23 **I. INTRODUCTION AND PURPOSE OF RESPONSE**

24 1. Mr. Spears has always endeavored to do what is in Ms. Spears’ best interest. With  
25 her best interests in mind here with the Litigation Counsel Petition, he has carefully examined  
26 many factors, including without limitation, the expense to the Estate of the litigation that Mr.  
27 Ingham predicted in the Litigation Counsel Petition, the Consent to the Appointment of Bessemer  
28 Trust bearing Ms. Spears’ signature, and the continued need for an effective team to manage Ms.

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1 Spears’ complex holdings and finances, which exists regardless of whether or not she is currently  
2 working. Mr. Spears believes that it is not in Ms. Spears’ best interest to have litigation over the  
3 issue of whether a corporate fiduciary should be added as a co-conservator of the Estate, and  
4 believes that instead, it is in Ms. Spears’ best interest to work with Ms. Spears and her Court  
5 Appointed Counsel to come up with the most efficient and effective structure which includes a  
6 corporate fiduciary, taking into account the many complex factors of her Estate, including without  
7 limitation, facilitating her return to work sometime in the future at such time as she wishes to do  
8 so.

9 **II. FACTUAL BACKGROUND**

10 2. Appointment of Temporary Co-Conservators of the Estate. On February 1, 2008,  
11 Mr. Spears and Andrew M. Wallet (“Mr. Wallet”) were appointed Temporary Co-Conservators of  
12 the Estate of Britney Jean Spears, Conservatee (“Ms. Spears” or “Conservatee”). Letters of  
13 Temporary Conservatorship of the Estate were issued on the same day. Letters of Temporary  
14 Conservatorship were extended several times.

15 3. Appointment of Permanent Co-Conservators of the Estate. On October 28, 2008,  
16 the Court appointed Mr. Spears and Mr. Wallet as the permanent Co-Conservators of the Estate of  
17 Conservatee. Permanent Letters of Conservatorship were issued on January 9, 2009.

18 4. Amended Letters of Conservatorship of the Estate. On March 5, 2019, the Court  
19 accepted the resignation of Mr. Wallet and confirmed Mr. Spears as the sole Conservator of the  
20 Estate of Ms. Spears and Amended Letters of Conservatorship were issued on that date.

21 5. Recent Events. Two Petitions for Appointment in the Estate were filed since late  
22 August of this year.

23 6. In response to Mr. Ingham’s statements that Ms. Spears did not wish to have Mr.  
24 Spears as the sole Conservator of the Estate, Mr. Spears filed a Petition for Appointment of  
25 Andrew M. Wallet as Co-Conservator of the Estate (the “Wallet Petition”) on August 19, 2020,  
26 currently set for hearing on November 10, 2020, as supplemented. Mr. Wallet had successfully  
27 navigated the administration of the Conservatorship of the Estate with Mr. Spears for many years.  
28 Mr. Spears concurrently filed the Consent of Andrew M. Wallet to Act as Co-Conservator of the

1 Estate, and a Motion to Seal Pleadings Re Petition for Appointment of Probate Co-Conservator  
2 (“Motion to Seal”), now set for hearing on November 10, 2020. Mr. Ingham, Ms. Spears’ Court  
3 Appointed Counsel, filed Objections to the Wallet Petition on September 11, 2020, and an  
4 Opposition to Ms. Spears’ Motion to Seal on September 2, 2020. Mr. Spears indicated he would  
5 defer to Ms. Spears’ wishes with regard to the protection of her privacy.

6 7. Additionally, on August 31, 2020, Mr. Ingham filed a Petition for Appointment of  
7 Conservator of the Estate, naming Bessemer Trust Company, N.A. (“Bessemer”) to be added as a  
8 conservator of the Estate. This petition is also set for hearing on November 10, 2020.

9 8. This Court continued Mr. Spears’ Motion to Seal on September 16, 2020, at Mr.  
10 Ingham’s request.

11 9. On September 18, 2020, Mr. Ingham filed a Petition for Order Associating  
12 Litigation Counsel for Conservatee, set for hearing on October 14, 2020. Mr. Ingham seeks the  
13 appointment of four lawyers at Loeb & Loeb, LLP, to act under his direction as litigation counsel  
14 in conducting “meaningful discovery,” “law and motion” and “trial work,” and to relieve them of  
15 the obligation, as Ms. Spears’ Court Appointed Counsel, “to seek input directly” from Ms. Spears.  
16 (This is a very unusual request, as it appears to sideline Ms. Spears in a matter that most deeply  
17 affects her.) Litigation Counsel Petition, 3:23-25; 4:14-15; 8:9-14; 8:24-27. The Court ordered  
18 that any responsive pleadings be filed by October 2, 2020.

19 **III. RESPONSE**

20 10. Mr. Spears has been working diligently to determine what course in the  
21 Conservatorship of the Estate is in the best interest of Ms. Spears, given the events of the last two  
22 years.

23 11. He has determined that it is in Ms. Spears’ best interest to avoid the inevitably  
24 steep litigation expense over the issue of the appointment of a co-conservator, and to therefore  
25 withdraw the Wallet Appointment Petition, and to explore the most effective and efficient  
26 structure for the administration of the Estate with the participation of a corporate fiduciary as co-  
27 conservator. The Request for Withdrawal of the Wallet Appointment Petition and Mr. Wallet’s  
28 Consent to the Withdrawal are being filed concurrently with this Response.

1           12.     Because the addition of a corporate fiduciary will inevitably involve the need to  
2 restructure of the administration of the Conservatorship Estate and the management of Ms. Spears’  
3 assets, Mr. Spears believes that it is in Ms. Spears’ best interest for there to be a meaningful meet  
4 and confer with the Conservatee and Mr. Ingham to explore the issues facing this conservatorship  
5 and the specifics of this modified structure of the Estate.

6           13.     The “burn rate” that the Estate is experiencing is high, and Ms. Spears has  
7 determined not to work at this time. Mr. Spears remains concerned about the” burn rate” and at  
8 the same time, believes it is in Ms. Spears’ best interest to ensure that Ms. Spears may return to  
9 work with ease if she wishes to do so in the future. Of course, Mr. Spears acknowledges that her  
10 decision whether to work is completely up to Ms. Spears.

11           14.     Based upon the preceding considerations, Mr. Spears does not believe that this  
12 Court’s approval of the retention of the Loeb & Loeb firm (whose rates are stated in the Litigation  
13 Counsel Petition as from \$590 to \$945 per hour for attorneys and \$395 to \$415 per hour for  
14 litigation paralegals), with its deep trust litigation bench, is either indicated or in the best interest  
15 of Ms. Spears, given the inevitable, very substantial expense that would be incurred.

16           15.     If the Court is inclined not to deny the Petition, Mr. Spears requests that at the very  
17 least, the hearing on the Litigation Counsel Petition be continued for four (4) to six (6) weeks to  
18 determine if an agreement can be reached to the structure of the Conservatorship of the Estate with  
19 the onboarding of a corporate co-conservator, that will avoid litigation and the significant drain on  
20 the finances of the Estate. There is no longer urgency in ordering the appointment of litigation  
21 counsel because Mr. Spears has withdrawn the Wallet Petition. A good faith effort should be  
22 made to accommodate Ms. Spears’ desire for a corporate co-conservator in an amicable fashion.

23

24 **IV.     CONCLUSION**

25           16.     Based on the foregoing, Mr. Spears requests that Mr. Ingham’s Litigation Counsel  
26 Petition be denied as moot, or in the alternative, that the hearing on the Litigation Counsel Petition

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28 ///

1 be continued four (4) to six (6) weeks to determine if an agreement can be reached as to the  
2 structure of the Conservatorship of the Estate with the onboarding of a corporate co-conservator.

3 DATED: October 2, 2020

Respectfully submitted,

4 FREEMAN, FREEMAN & SMILEY, LLP

5  
6 By: 

7 GERALDINE A. WYLE  
8 JERYLL S. COHEN  
9 Attorneys for JAMES P. SPEARS,  
10 Conservator of the Estate

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**VERIFICATION**


**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I have read the foregoing JAMES P. SPEARS' RESPONSE TO PETITION FOR ORDER ASSOCIATING LITIGATION COUNSEL FOR CONSERVATEE and know its contents.

I am a party to this action. 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.

Executed on October 2, 2020, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DocuSigned by:  
  
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James P. Spears, Conservator of the  
Estate  
\_\_\_\_\_  
Print Name of Signatory

\_\_\_\_\_  
Signature

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**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 1888 Century Park East, Suite 1500, Los Angeles, California 90067.

On October 2, 2020, I served true copies of the following document(s) described as **JAMES P. SPEARS' RESPONSE TO PETITION FOR ORDER ASSOCIATING LITIGATION COUNSEL FOR CONSERVATEE** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent from e-mail address colleen.reid-rose@ffslaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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**Request for Special Notice**  
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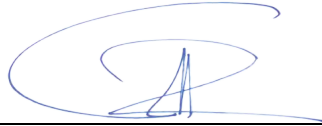
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**BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed below and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Freeman, Freeman & Smiley, LLP's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

Lynne Spears [verified contact information withheld for privacy]	Sean Preston Federline [verified contact information withheld for privacy]
Jamie Lynn Watson [verified contact information withheld for privacy]	Jayden James Federline [verified contact information withheld for privacy]

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 2, 2020, at Los Angeles, California.



Colleen Reid-Rose