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Counsel for *amici curiae*

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

<p>In re: The Conservatorship of:</p> <p>BRITNEY JEAN SPEARS,</p> <p>Conservatee.</p>	<p>Case No. BP 108 870</p> <p><u>SUPPLEMENT TO:</u></p> <p>PETITION TO TERMINATE CONSERVATORSHIP OF THE PERSON AND ESTATE; DECLARATION OF LISA MacCARLEY</p> <p>Date: SEPTEMBER 29, 2021 Time: 1:30 p.m. Dept. 4</p>
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INTERESTS OF AMICI CURIAE

1. **Bettys' Hope** was created to advocate for the correction and reform of California's probate courts, and "probate" and "equity" courts throughout the nation. Specifically, it has become abundantly clear that the present system of allowing and encouraging judicial officers to train, select, appoint, direct, and compensate counsel has led to a veritable plethora of ethical and constitutional violations that, in turn, lead to horrific outcomes for persons facing or in conservatorships and their families. The untoward Conservatorship of Britney Jean Spears, hereinafter, "Ms. Spears," is a case directly on point.

1 2. Bettys' Hope's specific mission, as a charitable entity, is to ensure that every
2 person facing or in conservatorships is represented by a lawyer who is trained, supervised, and
3 held accountable for their misfeasance, or even malfeasance, as the case may be. Under the
4 current system in Los Angeles and other counties, "judges" are at once the triers of fact and
5 obscenely dependent upon "reports" written by "Court Appointed Counsel." Presently, there is
6 no agency, person, or entity at all to report concerns about the competence and efficacy of
7 "Court Appointed Counsel" in Los Angeles and Orange Counties.
8

9
10 3. The primary purpose of this brief and supplement is to educate the Court, counsel,
11 and the general public as to the numerous reasons that the Conservatorship of Britney Jean
12 Spears must be terminated. It is hoped that the documents, explanations, and arguments
13 presented in this brief will be informative and elicit cogent responses from all three branches of
14 government.
15

16 4. The secondary purpose of this brief is to request that California Governor Gavin
17 Newsom, California Chief Justice Tani Cantil-Sakauye, the Judicial Council of California, and
18 the State Bar of California immediately convene a public hearing to discern exactly how it came
19 to be that the entirety of the Los Angeles County Superior Court's Probate Department (herein
20 after, "the Probate Dept.") ran roughshod over Ms. Spears' constitutional rights, thus depriving
21 her of life, liberty and property for over 13 years.
22

23 THE PROBATE COURT DOES NOT HAVE VALID
24 JURISDICTION OVER MS. SPEARS

25 5. Ms. Spears has never been served with a "CITATION" as mandated by
26 California Probate Code §1242 which states "The citation **shall** [emphasis added] be served on
27 the person cited in the manner provided in Chapter 4 (commencing with Section 413.10) of
28 Title 5 of Part 2 of the Code of Civil Procedure."

1 6. In other words, a document called a "Citation" is required to be personally
2 handed to (or placed on the body of) each and every person facing conservatorship without
3 exception. It provides critical advisements that the California Legislature specifically wanted
4 the Proposed Conservatee to have in order to ensure fairness and a chance to be heard. This is
5 the pillar of our legal system: Due Process. In conservatorship cases, it starts with the
6 mandatory personal service of the Citation.

7
8 7. Attached hereto as **EXHIBIT A** is a true and correct copy of the "Citation" that
9 was filed by James P. Spears' counsel on March 10, 2008. The second and third pages reflect
10 that it was "served" on Samuel D. Ingham, III via facsimile and by mail and but was not
11 personally delivered to Ms. Spears *as required by law*.

12
13 8. Apparently, not a single lawyer, judicial officer or staff member of the Probate
14 Dept. noticed this omission, or did notice and did nothing, so it would appear that no one was
15 concerned about the violation of the most basic tenet of due process: "notice."

16
17 9. The failure to deliver the Citation to Ms. Spears in person is a defect that
18 invalidates the entirety of the Conservatorship because the Court never properly established
19 "jurisdiction" over her.

20 MS. SPEARS' UNEQUIVOCAL RIGHT TO COUNSEL WAS VIOLATED

21
22 10. Ironically, Paragraph 4 of the CITATION clearly states: "**You have the right to**
23 **appear and object. You have the right to hire an attorney of your own choice.**" The only
24 reasonable interpretation of that statement is that the California State Legislature found it
25 critical that a person facing the loss of life, liberty, and property, especially within the context of
26 a conservatorship proceeding, that some refer to as "legal death," be afforded the dignity of an
27 advocate of their own choice to protect their interests.
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1 11. On February 1, 2008, the Probate Dept. issued an "Order Appointing Counsel"
2 and a true and correct copy of that document is attached hereto as **EXHIBIT B**. As was always
3 the done during those years with cases involving "celebrities" or vast wealth, Samuel D.
4 Ingham, III, the Probate Dept.'s favorite, was "appointed" as Ms. Spears' counsel.¹

5
6 12. There is not now and never has been statutory authority for a judicial officer to
7 appoint counsel on the same day that a Petition for Appointment of Probate Conservator is filed.
8 In fact, the obvious interpretation of CPC §1470 and §1471² is that "Court Appointed Counsel"
9 is a safety net for those persons who **do not** have counsel. Both statutes regarding the
10 appointment of counsel includes the words "**IF**" as in "if" the person facing conservatorship
11 requests or needs counsel to protect their interests, **THEN** the Court appoints counsel.

12
13 13. In addition, **EXHIBIT B** reflects that "counsel appointed herein shall have access
14 to and authority to review and copy the medical records of BRITNEY SPEARS, the
15 conservatee/proposed conservatee, without his/her consent." There is no statutory authority for
16 this wholesale violation of privacy rights and never has been.

17
18 14. Ms. Spears was not given five days' notice of the hearing to "conserve" her as
19 required by CPC §2250.2. While it was true that she was a patient at UCLA Medical Center on
20 February 1, 2008, it is not true that there was any medical or financial emergency that warranted
21 the waiver of this notice by the Court. Ms. Spears was reportedly well enough to eat In-N-Out
22 Burgers and make telephone calls to her father, to her family law attorneys and eventually, to
23 attorney Adam Streisand.

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27 ¹ In addition to the obvious bias in favor of Mr. Ingham and a few other attorneys, Justice Maria
28 T. Stratton also revealed, at a "training" program, that these judicial officers had a "secret black list" of
lawyers who were not to be appointed as 'PVP' counsel, as it was called during that time.

² The complete text of these codes are not included for the sake of brevity but are readily
obtainable on-line.

1 15. Attached hereto as **EXHIBIT C** is a “Minute Order” which is believed to be a
2 correct copy but was unavailable directly from the LASC’s website.

3
4 16. A “**Minute Order**” is a document prepared by the Court Clerk, who is present
5 during the proceedings, to memorialize the findings and orders of the Court. The Minute Order
6 reflects the names of the attorneys who appeared for Petitioner, James P. Spears, and the
7 appearance of both Mr. Ingham and Adam Streisand. The Minute Order affirms that Mr.
8 Streisand was ejected from the proceedings.

9
10 17. As Mr. Streisand described during his interview in the New York Times’ brilliant
11 documentary, “*Framing Britney Spears*,” Mr. Streisand was fired as Ms. Spears counsel by
12 Judge Reva Goetz. There is not now and never has been statutory authority for any judge to
13 “fire” a litigant’s attorney, but the circumstances are even more bemusing than that: Mr.
14 Streisand also stated that Judge Goetz claimed she had “a report”³ that he was not allowed see,
15 and setting aside the Constitutional violations no one in the room apparently recognized, there is
16 no mention of any doctor’s report or Capacity Declaration being filed by Mr. Spears’ counsel on
17 the LASC Case Summary in the period between February 1 – 4, 2008.

18
19 18. A thorough investigation should be made by Ms. Spears’ present counsel as to
20 “how” Judge Goetz obtained “a report” in the first place, who wrote it, and what it said, given
21 this peculiar fact: the attorneys for Mr. Spears all wrote detailed declarations regarding their
22 activities for the period between February 1 – 4, 2008. One wrote a declaration regarding
23 attempts to reach Ms. Spears’ treating doctor, Dr. Long. They wrote declarations memorializing
24 their activities in support of their fees, conversations with Mr. Ingham, and even Mr. Streisand.
25 Not a single declaration by any attorney or party mentions **Dr. James Edward Spar**.

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³ Mr. Streisand would later tell CNN Reporter Chris Cuomo that Judge Goetz told him it was a
“report from Dr. Spar.” The transcript of 2/4/2008 will clarify that point.

1 19. No one claims to have met with him, no one claims to have spoken to him, and no
2 one claims to have obtained a declaration from him.

3 20. Indeed, the last paragraph of the first page of the Minute Order (**EXHIBIT C**)
4 also reflects that "PVP" Counsel suggested that the Court retain an expert to evaluate Ms.
5 Spears, namely Dr. Steven Marmer. (More constitutional violations: The report to be issued by
6 Dr. Marmer was not to be made available to anyone except Mr. Ingham, the attorneys for Mr.
7 Spears, Mr. Andrew Wallet, and the Court, without a court order.) Why would that have been
8 needed if Dr. Spar was already retained?
9
10

11 21. There is no mention of **Dr. Spar** in the Minute Order which is very peculiar
12 given what was written on the purported "Attorney Order," attached hereto as **EXHIBIT D**, and
13 filed just two days later.

14 22. An "Attorney Order" is the document prepared typically by the attorneys for the
15 "Petitioners" in Probate Court that ends up being the official order that is ultimately signed by
16 the Court. Obviously, it is a document that has been reviewed and approved by the Court
17 reflecting findings and orders made at each hearing. The judicial officer signs this document to
18 make it the official record of what was done and ordered.
19

20 23. According to the Attorney Order, once Mr. Streisand was out of the way, the
21 attorneys for James P. Spears, the Court, and Mr. Ingham, agreed to deprive Ms. Spears of a
22 copy of the pleadings filed with the Court, except for the order appointing Mr. Ingham. Mr.
23 Spears, as "Temporary Conservator," was also authorized to prevent Ms. Spears from seeing
24 attorneys other than Mr. Ingham.
25

26 24. **EXHIBIT D** states on Page 2, Paragraphs 8 and 9: "*As a result of the pleadings*
27 *that have been filed, the declaration of J. Edward Spar, M.D. and the Report of PVP counsel*
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1 *Mr. Ingham, the court finds that Ms. Spears does not have the capacity to retain counsel and*
2 *she lacked the capacity to retain Adam F. Streisand as her counsel.” It also states, “According*
3 *to Dr. Spar’s declaration, Ms. Spears does not have the ability to attend the hearing.” And then*
4 *again “On the basis of Dr. Spar’s declaration and Mr. Ingham’s report, the Court should waive*
5 *Ms. Spears’ presence at the hearing.”*

7 **25. Since no one has claimed to have contact with Dr. Spar in their various and**
8 **sundry declarations, where did that declaration come from? And, if Dr. Spar was engaged**
9 **by Mr. Spears as of Feb. 4th, why wasn’t that mentioned and why was Mr. Ingham**
10 **suggesting Dr. Marmer as the Court’s expert?**

12 **26. Dr. Spar should be made aware of why people from the #FreeBritney**
13 **movement are contacting him.**⁴ From a review of the fee requests, no one else did.

14 27. On February 14, 2008, back in Dept. 9, there is yet another discussion between
15 the Court and counsel about the retention of an “expert” and again, Dr. Spar’s name is not
16 mentioned. The Court approved payment to the original expert, in fact, not Dr. Spar.

18 28. Mr. Streisand was very clear that Ms. Spears did not want her father to be
19 appointed as Conservator of her Person or Estate. Thus, the Court violated both the plain
20 language and the spirit of CPC §1810 which directs that the Court should appoint the
21 Conservatee’s “nominee” unless the Court finds that the appointment would not be in the
22 Conservatee’s best interests.

24 29. Despite her fame, fortune, beauty and talent, Ms. Spears was forced to be
25 represented by an attorney she did not choose, who testified AGAINST her with respect to
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⁴ Do not underestimate the Power of Love – the #FreeBritney movement is RIGHT and their cause is RIGHTEOUS!

1 respect to issues of capacity, and then who signed off on orders that violated Ms. Spears' right
2 to due process. Soon afterward, Mr. Ingham began receiving **\$10,000 a week** for his efforts.

3
4 29. The numerous violations of Ms. Spears' constitutional rights resulted in an
5 egregious miscarriage of justice and the Court has no option but to terminate the
6 conservatorship, promptly and unconditionally.

7 MS. SPEARS HAS BEEN MISLED BY
8 HER COURT-APPOINTED FIDUCIARIES

9 30. Over the course of the last dozen years, Ms. Spears has been clearly misinformed
10 about numerous matters, starting with being told that she was unable to hire an attorney of her
11 own choice, and the following:

- 12 a. The CPC does not affect a Conservatee's right to marry.
13
14 b. The CPC does not affect the right to have children.
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16 c. The CPC does not require that a Conservatee submit to a psychiatric evaluation
17 prior to the filing of a petition to terminate a conservatorship.
18
19 d. The CPC is devoid of any authority for a Conservator to "temporarily relinquish"
his or her duties as Conservator.

20 ADDITIONAL OBVIOUS REASONS TO
21 TERMINATE THE CONSERVATORSHIP

22 31. Ms. Spears does not now and, in fact, never has qualified for a PROBATE
23 conservatorship of either her person or estate.

24 a. There has never been any evidence, much less clear and convincing evidence,
25 presented to the Court to prove that Ms. Spears is **unable** to provide properly for her personal
26 needs for physical health, food, clothing, or shelter. To the contrary, Ms. Spears'
27 achievements and accomplishments over the last thirteen plus years is irrefutable evidence
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1 that not only can she provide these things for herself, but a veritable plethora of other persons
2 as well who have all profited handsomely from her work ethic and efforts.

3 b. There has never been any evidence, much less clear and convincing evidence,
4 presented to prove that Ms. Spears is **substantially unable** to manage her own financial
5 resources or resist fraud or undue influence but a veritable plethora of other persons have all
6 profited handsomely from her work ethic and achievements.

7
8 32. The California Probate Code was never meant to be a weapon to “control” a
9 vibrant human being and deprive her of her civil liberties and self-autonomy. A California
10 probate conservatorship is meant to protect someone who is **incapacitated** to the extent that they
11 literally cannot provide for their own needs for “health, food, clothing and shelter.”

12
13 33. The probate courts are not authorized to use “mental health” issues as the sole
14 basis for finding that someone is in need a probate conservatorship.

15
16 34. The CPC does not contemplate “hybrid business models” to exploit conservatees
17 and why would any “conservator” deserve severance pay when their on-going involvement
18 would harm the conservatee? Mr. Andrew Wallet should be asked to explain that.

19 35. A ‘Conservatorship’ is not the least restrictive alternative to assisting Ms. Spears.
20 Even assuming that Ms. Spears is, inexplicably, unable to provide properly for her personal
21 needs for “physical health, food, clothing, or shelter” or is “substantially unable to manage his
22 or her own financial resources or resist fraud or undue influence” a PROBATE conservatorship
23 is NOT the least restrictive alternative to providing her with assistance. If Ms. Spears’ regularly
24 treating physicians ever find her to be incompetent and unable to make her own medical and/or
25 financial decisions, estate planning documents will allow her named agents and fiduciaries to
26 assist her.
27
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1 MS. SPEARS' RANCID CONSERVATORSHIP
2 INFLICTS TRAUMA, EXPLOITATION AND ABUSE

3 36. As the Court has been previously advised, the imposition of this unwarranted
4 Conservatorship has brought embarrassment, emotional turmoil, and psychological injury to Ms.
5 Spears. It is time for the Court to recognize that an egregious miscarriage of justice has occurred
6 and terminate the conservatorship IMMEDIATELY and UNCONDITIONALLY. Ms. Spears has
7 "credibly" and lucidly articulated what she wants. It is time to allow Ms. Spears to have her life
8 back and be freed of the so-called "protection" of the Los Angeles County Superior Court.
9

10 **#FreeBritney**

11 Respectfully submitted,

12 Dated: September 13, 2021

13 **BETTYS' HOPE, A California 501 (c) (3) Charity**

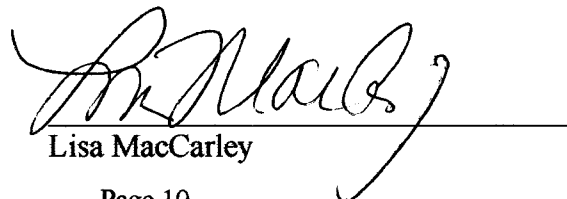
14 
15 _____
16 By: Lisa MacCarley, Esq
17 Executive Director

18 I have read the foregoing SUPPLEMENT TO: PETITION FOR TERMINATION OF
19 PROBATE CONSERVATORSHIP OF THE PERSON AND ESTATE and know its contents.

20 I am the Executive Director of Bettys' Hope, amicus curiae herein, and I make this
21 verification for that reason. I am informed and believe and on that ground allege that the matters
22 stated in the foregoing document are true.

23 I declare under penalty of perjury under the laws of the State of California that the
24 foregoing is true and correct.
25

26 Executed on September 13, 2021 at Glendale, California.

27 
28 _____
Lisa MacCarley

1 *Lisa MacCarley, Esq. SBN 164458*
2 *Executive Director*
3 *Bettys' Hope, A 501(c)(3) Charity*
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Counsel for *amici curiae*

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

In re: The Conservatorship of: BRITNEY JEAN SPEARS, Conservatee.	Case No. BP 108 870 <u>DECLARATION OF LISA MacCARLEY IN SUPPORT OF:</u> PETITION TO TERMINATE CONSERVATORSHIP OF THE PERSON AND ESTATE Date: SEPTEMBER 29, 2021 Time: 1:30 p.m. Dept. 4
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I, Lisa MacCarley, declare as follows:

1. I am an attorney, duly licensed to practice law in the State of California. I attended Loyola Law School with the specific goal of becoming a probate and conservatorship attorney. It was my aspiration to be of service to incapacitated elders and the people who loved and cared about them. Never did I envision that I would be called upon to shine a light on the “broken American legal system” and the dysfunctional Los Angeles County Superior Court’s Probate Department, hereinafter, “the Probate Dept.”

1 2. In 2019, I founded a charity called Bettys' Hope in order to advocate for the
2 correction and reform of California probate courts, and "probate" and "equity" courts
3 throughout the nation. It has become abundantly clear that the present system of allowing and/or
4 encouraging judicial officers to train, select, appoint, direct, and compensate counsel has led to
5 a veritable plethora of ethical and constitutional violations that, in turn, leads to horrific
6 outcomes for persons facing or in conservatorships and their families. Under the current system
7 in Los Angeles and other counties, judicial officers are at once the "triers of fact" and obscenely
8 dependent upon "reports" written by "Court Appointed Counsel."
9

10
11 3. Bettys' Hope's specific mission, as a charitable entity, is to ensure that every
12 person facing or in conservatorships is represented by a lawyer who is trained, supervised, and
13 held accountable for their misfeasance, or even malfeasance, as the case may be. Presently,
14 there is no agency, person, or entity at all to report concerns about the competence and efficacy
15 of "Court Appointed Counsel" in Los Angeles and Orange Counties. I know this for a fact
16 because I have tried *EVERYTHING* to sound the alarm.
17

18 4. What was done to Britney Jean Spears is ethically repugnant on so many levels it
19 is difficult to imagine how she has borne it so well. Ms. Spear is right to be infuriated. I am
20 appalled by what was done to her and remain in awe of the passion and compassion
21 demonstrated by the many people all over the world who have rallied to #FreeBritney.
22

23 5. The documents attached as **EXHIBIT A** and **EXHIBIT B** were downloaded from
24 the "LACourt.org" website. The documents attached as **EXHIBIT C** and **EXHIBIT D** were
25 transmitted to me by Babs Gray and Tess Barker, the brilliant journalists who host the podcast
26 called "Britney's Gram." I have extensive experience with reviewing court records and these
27 look to be exactly what would normally be prepared, however, I was not able to download these
28

1 documents directly from the court's website although I tried. No doubt that Ms. Spears' new
2 counsel will be provided certified copies from the Court as well as a transcript of the February
3 4, 2008, proceedings.
4


5 6. I was able to download declarations of attorneys Thoreen, Wyle and Cohen, and
6 did not find a single reference to Dr. Spar. Clearly, Ms. Spears legal team should get in touch
7 with Dr. Spar directly to determine what involvement he had, *if any*, in this matter.

8 7. The "broken American legal system" is doomed to sink into further decline if the
9 words "trauma" "exploitation" and "abuse" elicits no response whatsoever from the leadership
10 of that system. I have written literally hundreds of letters to judges and politicians and have
11 even been quoted in the Los Angeles Times regarding "practices and policies" of the probate
12 courts which are unconstitutional to this very day. The "judicial branch" has failed to respond
13 and the politicians have failed to address the *real* problem.
14

15 8. It's time to #FreeBritney and conduct an investigation as to how so many lawyers
16 and jurists involved with this case could have so epically failed Britney Jean Spears and so
17 many other people facing or in probate conservatorship.
18

19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct.
21

22 Executed on September 13, 2021 at Glendale, California.

23 
24 Lisa MacCarley
25

26 **Injustice anywhere is a threat to justice everywhere.** We are caught in an
27 inescapable network of mutuality, tied in a single garment of destiny. Whatever affects
28 one directly, affects all indirectly.

Martin Luther King, Jr.

Page 3

DECLARATION OF LISA MacCARLEY IN SUPPORT OF:
PETITION TO TERMINATE CONSERVATORSHIP OF THE PERSON AND ESTATE
CASE NO. BP 108870

EXHIBIT A

EXHIBIT A

EXHIBIT A

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Geraldine A. Wyle, SBN 89735; Jeryll S. Cohen, SBN 125392 Vivian Lee Thoreen, SBN 224162 LUCE, FORWARD, HAMILTON & SCRIPPS LLP 601 S. Figueroa St., Suite 3900; Los Angeles, CA 90017 TELEPHONE NO.: (213) 892-4992 FAX NO. (Optional): (213) 892-7731 E-MAIL ADDRESS (Optional): gwyle@luce.com ATTORNEY FOR (Name): James P. Spears</p>	<p>FOR COURT USE ONLY</p> <p>FILED</p> <p>LOS ANGELES SUPERIOR COURT</p> <p>MAR 10 2008</p> <p>JOHN A. CLARKE, CLERK <i>Arundock</i> BY ANDREA MURDOCK, DEPUTY</p> <p>CASE NUMBER: BP 108870</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: Same as above CITY AND ZIP CODE: Los Angeles, California 90012 BRANCH NAME: Central District</p>	
<p>CONSERVATORSHIP OF THE <input checked="" type="checkbox"/> PERSON <input checked="" type="checkbox"/> ESTATE OF (Name): BRITNEY JEAN SPEARS</p> <p style="text-align: right;">PROPOSED CONSERVATEE</p>	
<p>CITATION FOR CONSERVATORSHIP <input type="checkbox"/> Limited Conservatorship</p>	

THE PEOPLE OF THE STATE OF CALIFORNIA,

To (name): Britney Jean Spears

1. You are hereby cited and required to appear at a hearing in this court on

a. Date: March 10, 2008	Time: 1:30 p.m.	<input checked="" type="checkbox"/> Dept.: 9	<input type="checkbox"/> Room:
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b. Address of court: same as noted above other (specify):

and to give any legal reason why, according to the verified petition filed with this court, you should not be found to be

unable to provide for your personal needs unable to manage your financial resources and by reason thereof,
 why the following person should not be appointed conservator limited conservator of your person
 estate (name): **James P. Spears (Person); James P. Spears and Andrew M. Wallet (Estate)**

- A conservatorship of the person may be created for a person who is unable properly to provide for his or her personal needs for physical health, food, clothing, or shelter. A conservatorship of the property (estate) may be created for a person who is unable to resist fraud or undue influence, or who is substantially unable to manage his or her own financial resources. "Substantial inability" may not be proved solely by isolated incidents of negligence or improvidence.
- At the hearing a conservator may be appointed for your person estate. The appointment may affect or transfer to the conservator your right to contract, to manage and control your property, to give informed consent for medical treatment, to fix your place of residence, and to marry. You also may be disqualified from voting if you are found to be incapable of completing an affidavit of voter registration. The judge or the court investigator will explain to you the nature, purpose, and effect of the proceedings and answer questions concerning the explanation.
- You have the right to appear at the hearing and oppose the petition. You have the right to hire an attorney of your choice to represent you. The court will appoint an attorney to represent you if you are unable to retain one. You must pay the cost of that attorney if you are able. You have the right to a jury trial if you wish.
- (For limited conservatorship only) In addition to the rights stated in item 4 above, you have the right to oppose the petition in part by objecting to any or all of the requested duties or powers of the limited conservator.

Date: **FEB 27 2008**

JOHN A. CLARKE, CLERK, Clerk, by

A. Watts
A. WATTS, Deputy



Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for Request for Accommodations by Persons With Disabilities and Order (form MC-410). (Civil Code section 54.8.)



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PROOF OF SERVICE

In re the Temporary Conservatorship of the Person and Estate of Britney Jean Spears
LASC Case No. BP 108870

I, Valerie M. Segura, declare as follows:

I am employed with the law firm of Luce, Forward, Hamilton & Scripps LLP, whose address is 601 S. Figueroa, Suite 3900, Los Angeles, California 90017. I am over the age of eighteen years, and am not a party to this action.

On February 27, 2008, I served the foregoing document described as **CITATION FOR CONSERVATORSHIP** on the following person(s) in this action:

U. S. MAIL: I placed a copy in a separate envelope, with postage fully prepaid, for each address(es) named below for collection and mailing on the below indicated day following the ordinary business practices at Luce, Forward, Hamilton & Scripps LLP. I certify I am familiar with the ordinary business practices of my place of employment with regard to collection for mailing with the United States Postal Service. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit or mailing affidavit.

BY FACSIMILE: I caused said document to be transmitted by facsimile transmission whose facsimile number is (213) 892-7731 to the number indicated after the address(es), as indicated on the attached Service List. The facsimile machine I used complied with California Rules of Court, rule 2.306 and the transmission was reported as complete and without error. A copy of the transmission report is attached to this declaration.

Samuel D. Ingham
9440 Santa Monica Blvd., #510
Beverly Hills, CA 90210
Fax No.: (310) 556-1311

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Los Angeles, California on February 27, 2008.

Valerie M. Segura
Printed Name

Valerie M. Segura
Signature

201010254.1

Message Confirmation Report

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Date:	February 27, 2008
TO:	Samuel D. Ingham, III
Firm:	
City, State:	Beverly Hills, CA
Facsimile Number:	310.556.1311
Confirming Telephone Number:	310.556.9751
From:	Vivian L. Thoreen
Sender's Direct Dial:	213.892.4932
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<u>2</u> Pages (including cover page)	
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2/27/08

EXHIBIT B

EXHIBIT B

EXHIBIT B

FILED

LOS ANGELES SUPERIOR COURT

FEB 01 2008

JOHN A. CLARKE, CLERK

BY *M.S. Bansil*
M.S. BANSIL, DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Conservatorship of the
Person & Estate of:

BRITNEY SPEARS

Conservatee

PROBATE NUMBER

BP 108 870

ORDER APPOINTING COUNSEL

The Court on its own motion appoints SAMUEL D. INGHAM to act as counsel for BRITNEY SPEARS, the conservatee/proposed conservatee.

Pursuant to Civil Code Section 56.10(b)(1) and HIPAA Regulation 45CFR Section 164.512(e)(1)(i) the Court orders that counsel appointed herein shall have access to and authority to review and copy the medical records of BRITNEY SPEARS, the conservatee/proposed conservatee, without his/her consent.

Attorney fees, if any, will be determined by the Court at the time of hearing.

Date: February 01, 2008

Aviva K. Bobb

AVIVA K. BOBB
JUDGE OF THE SUPERIOR COURT

EXHIBIT C

EXHIBIT C

EXHIBIT C

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DEPARTMENT 9

Date: February 4, 2008

HONORABLE: REVA GOETZ

COMMISSIONER
SHERIFF

A. MURDOCK,
TAMARA VOGL

DEPUTY COURT CLERK
CSR #10186

BP-108870

SPEARS, BRITNEY JEAN -
CONSERVATORSHIP

COUNSEL FOR PETITIONER:
See below for all appearances

COUNSEL FOR OBJECTOR:
See below for all appearances

NATURE OF PROCEEDINGS: PETITION FOR APPOINTMENT OF TEMPORARY
CONSERVATOR OF THE PERSON AND THE ESTATE

Matter is called for hearing, continued from February 1, 2008.

Jeffrey D. Waxler, Jeryll S. Cohen, and Vivian Leo Thoreen appear on behalf of petitioner James P Spears.

Samuel D. Ingham III, court appointed PVP, appears on behalf of Britney Spears.

Andrew M. Wallet appears on behalf of himself as co-conservator of the estate.

Adam F. Streissand appears on behalf of Britney Spears.

Testimony is taken.

Application to Seal Records re Conservatorship of the Person is granted as to documents protected under Cal. R. Court 2.550(d) and under HIPPA related to medical records. The court record is sealed under HIPPA regarding discussions made related to the medical issues. Request to seal financial records will require its own separate motion.

Howard Grossman is sworn and testifies.

Proceedings are ordered closed to address the medical issues. Court and counsels address Mr. Streissand's authority to remain during the closed proceedings. Mr. Streissand is excluded after being heard. Court finds that Ms. Spears had no capacity to retain Mr. Streissand.

PVP advised his client of today's proceedings and waives her appearance for today.

PVP shall accept service on his client's behalf

PVP's request for the court to retain an expert pursuant to Evidence Code 730 and suggestion of Dr. Steven (Stephen ?) Marmor is heard and granted. PVP shall contact Mr. Marmor to ascertain his willingness and availability. Mr. Marmor shall file a report by February 13, 2008, if not sooner, re Ms. Spears 1) capacity to participate in the Conservatorship proceedings, 2) ability to manage

Minutes Entered: February 4, 2008
SPEARS, BRITNEY JEAN - CONSERVATORSHIP

Department 9

2/10/08

her financial affairs, 3) ability to retain and direct counsel, and/or 4) her susceptibility to undue influence. Mr. Marmer's reports shall also address the possibility for psychotropic medication for Ms. Spears.

The report shall not be made available to anyone without a court order except the following: Samuel Ingham PVP, counsels for petitioner, Mr. Wallet, and the Court.

Court makes additional orders related to the appointment of the Temporary Conservator of the Person and/or Estate, as more fully reflected in the official notes of the court reporter and incorporated herein by reference, and the orders will be reflected in the attorney order.

The civil harassment restraining order (form CH-120) is modified by the Court, and as agreed by all counsels, on page 1 of 4 of the original by marking and "x" at item 4b. Counsels for petitioner receive copies.

Temporary letters, with additional orders made today, are extended to February 14, 2008.

THIS MATTER IS CONTINUED TO FEBRUARY 14, 2008 AT 1:30 P.M. IN DEPARTMENT 9.

Ms. Spears shall not have any contact, direct or indirect, which includes text messaging and e-mails with Osama (Sam) Lutfi.

Proceedings remained closed until concluded.

Court makes additional orders as more fully reflected in the official notes of the court reporter and incorporated herein by reference.

Counsel for petitioner shall prepare the order.

EXHIBIT D

EXHIBIT D

EXHIBIT D

1 Geraldine A. Wyle, State Bar No. 089735
Jeryll S. Cohen, State Bar No. 125392
2 Jeffrey D. Wexler, State Bar No. 132256
Vivian L. Thoreen, State Bar No. 224162
3 **LUCE, FORWARD, HAMILTON & SCRIPPS LLP**
4 [REDACTED]
Los Angeles, California 90017
Telephone No. [REDACTED]
5 Fax No.: [REDACTED]

6 Attorneys for James P. Spears,
Temporary Conservator of the Person and
7 Temporary Co-Conservator of the Estate

FILED
LOS ANGELES SUPERIOR COURT

FEB 06 2008

JOHN A. CLARKE, CLERK
Sam Williams
BY S.L. WILLIAMS, DEPUTY

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

10
11 In re the Conservatorship of the Estate of

Case No. BP 108870

12
13 **BRITNEY JEAN SPEARS,**

**ORDER EXTENDING TEMPORARY
LETTERS OF CONSERVATORSHIP OF
THE ESTATE**

14
15 Proposed Conservator.

16 Date: February 4, 2008
17 Time: 1:30 p.m.
18 Dept.: 9
19 Judge: Hon. Reva Goetz, Judge Pro Tem

20
21 The further hearing on the Petition for Appointment of Temporary Conservator of the
22 Estate of Britney Jean Spears ("Ms. Spears"), filed by James P. Spears, came on regularly for
23 hearing on February 4, 2008 at 1:30 p.m. in Department 9 of the Los Angeles Superior Court,
24 Central District, the Honorable Reva Goetz, Judge Pro Tem presiding. Jeryll S. Cohen, Vivian L.
25 Thoreen, and Jeffrey D. Wexler of Luce, Forward, Hamilton & Scripps LLP appeared on behalf of
26 Petitioner James P. Spears ("Mr. Spears"), Temporary Conservator of the Person and Co-
27 Conservator of the Estate of Ms. Spears. Samuel D. Ingham III appeared as the court-appointed
28 PVP counsel on behalf of Ms. Spears. Andrew M. Wallet of Hinojosa & Wallet appeared on

1 behalf of Andrew M. Wallet as Co-Conservator of the Estate of Ms. Spears. Adam F. Streisand of
2 Loeb & Loeb LLP appeared purportedly on behalf of Ms. Spears. From proof made to the
3 satisfaction of the court,
4

5 THE COURT FINDS AS FOLLOWS:

6 1. Notice of time and place of hearing has been given as required by law or dispensed
7 with.

8 2. On February 1, 2008, the Court appointed Mr. Spears and Mr. Wallet as Temporary
9 Co-Conservators of Ms. Spears' Estate, and Letters of Temporary Conservatorship of the Estate
10 were issued to Mr. Spears and Mr. Wallet on the same day.

11 3. On February 1, 2008, the Court appointed PVP counsel Santuel D. Ingham III as
12 the Conservatee's court-appointed attorney.

13 4. It is in the best interest of the Conservatee that the Temporary Conservatorship be
14 continued over the Conservatee's Estate.

15 5. Mr. Wallet is a suitable and qualified person and is authorized to continue as the
16 ~~Co-Conservator~~ ^{Temporary} Co-Conservator of Ms. Spears' Estate.

17 6. Mr. Spears is a suitable and qualified person and is authorized to continue as the
18 ~~Co-Conservator~~ ^{Temporary} Co-Conservator of Ms. Spears' Estate.

19 7. It is necessary and appropriate that the Letters of Temporary Conservatorship of the
20 Estate issued to Mr. Spears and Mr. Wallet on February 1, 2008 be extended to February 14, 2008
21 for further hearing.

22 8. As a result of the pleadings that have been filed, the declaration by J. Edward Spar,
23 M.D., and the Report of PVP counsel Mr. Ingham, the court finds that Ms. Spears does not have
24 the capacity to retain counsel and she lacked the capacity to retain Adam F. Streisand as her
25 counsel.

26 9. Ms. Spears has a right to be present at this hearing, and she is not present.
27 According to Dr. Spar's declaration, Ms. Spears does not have the ability to attend the hearing.
28 Mr. Ingham indicated in his Report that Ms. Spears was given an opportunity through him to

1 communicate to the Court, and she has elected not to. On the basis of Dr. Spar's declaration and
2 Mr. Ingham's Report, the Court should waive Ms. Spears' presence at the hearing.

3 10. Mr. Ingham met with Ms. Spears on February 3, 2008.

4 11. Bond was fixed at \$100,000.00 (\$50,000.00 for each Co-Conservator), to be
5 furnished by an authorized surety company or as otherwise provided by law.

6
7 **THE COURT ORDERS AS FOLLOWS:**

8 1. Notice of time and place of hearing has been given as required by law or dispensed
9 with.

10 2. Ms. Spears does not have the capacity to retain counsel.

11 3. Ms. Spears lacked the capacity to retain Adam F. Streisand as her counsel.

12 4. Ms. Spears' attendance at the hearing is waived.

13 5. Letters of Temporary Conservatorship of the Estate issued to James F. Spears and
14 Andrew M. Wallet on February 1, 2008 are extended to February 14, 2008.

15 6. The Temporary Conservators of the Estate are granted the following powers in
16 addition to the powers provided by law:

17 a. The Temporary Conservators shall have the power to obtain all documents and
18 records relating to the Conservatee and her assets, whether held in her name or
19 in the name of another, including but not limited to, all records currently in the
20 possession and control of the Conservatee's business manager, Howard
21 Grossman, her attorneys, and others, all contracts, information relating to credit
22 cards, bank statements, estate planning documents, receivables, and any and all
23 powers of attorney.

24 b. The Temporary Conservators shall have the power to take all actions necessary
25 to secure the Conservatee's assets, including the power to enter and take
26 possession and control of the Conservatee's residence, to remove all persons
27 from the residence and take any and all actions necessary to secure the
residence, including changing the locks, call on law enforcement and employ

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security guards at the expense of the Conservatorship Estate.

- c. The Temporary Conservators shall have the power to take all actions necessary to secure the Conservatee's liquid assets, including but not limited to, the power to cancel all credit cards.
- d. The Temporary Conservators shall have the power to revoke all powers of attorneys, including powers of attorney for making health care decisions and managing real estate, and to terminate any and all agencies.
- e. The Temporary Conservators shall have the power to commence and maintain litigation and participate in any litigation with respect to which the Conservatee is a party or has an interest, and the power to retain counsel and experts, and to pay same from the Conservatorship Estate, not only as to the family law case but for any other matter.

7. The Court grants the Temporary Conservators the powers pursuant to Probate Code Section 2590 and the following powers set forth in Probate Code Section 2591:

- a. To contract for the conservatorship and perform outstanding contracts and thereby bind the estate, including asserting or waiving confidentiality agreements.
- b. To operate at the risk of the estate a business constituting an asset of the estate.
- c. To pay, collect, compromise, arbitrate, or otherwise adjust claims, debts, or demands upon the Conservatorship Estate.
- d. To employ attorneys, accountants, investment counsel, agents, depositaries, and employees and to pay the expenses.

8. The Temporary Conservators have the power to prosecute civil harassment restraining orders that they deem to be appropriate.

9. Service on Ms. Spears of pleadings that are to be or are sealed shall be served on PVP counsel Mr. Ingham. Mr. Ingham shall review and discuss such pleadings with the Conservatee; however, Mr. Ingham shall retain any and all copies of such pleadings and shall not leave them with the Conservatee, except that Mr. Ingham may leave a copy of the Order

1 appointing him as the Conservatee's court-appointed counsel with the Conservatee.

2 10. The Conservatee shall not have any contact, direct or indirect, with Osama aka Sam
3 Lutfi, including telephone calls, text messaging, or email communications.

4 11. The Conservatee is to remain in California pending the hearing on the Petition for
5 Appointment of Permanent Conservator, the written consent of the Conservator of the Person, or
6 until February 14, 2008 at 1:30 p.m. or further order of the Court.

7 12. The bond fixed by the Court's prior Order in the amount of \$50,000.00 for each
8 Co-Conservator is sufficient.

9 13. The next hearing in this matter is set for February 14, 2008 at 1:30 p.m.

10
11 APPROVED AS TO FORM AND CONTENT:

12
13 Dated: 2-6-08

By:



Samuel D. Ingham III, PFP Counsel for
Temporary Conservatee Britney Jean Spears

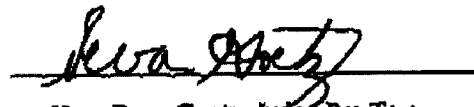
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17 Dated: _____

By: _____

Andrew M. Wallet, Co-Conservator of the
Estate of Britney Jean Spears

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19
20 IT IS SO ORDERED.

21
22 Dated: 2/6/08



Hon. Reva Goetz, Judge Pro Tem
Superior Court, State of California

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