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7 Co-Conservator of the Estate

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9 Jeryll S. Cohen (SBN 125392)
HOFFMAN, SABBAN & WATENMAKER, A P.C.
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Los Angeles, California 90024

11 310.470.6010; 310.470.6735 (fax)
12 Email: gwyle@hswlaw.com
jcohen@hswlaw.com

13 Attorneys for James P. Spears,
14 Conservator of the Person
Co-Conservator of the Estate

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA
16 FOR THE COUNTY OF LOS ANGELES

17 CONSERVATORSHIP OF THE
18 ESTATE OF

19
20 BRITNEY JEAN SPEARS,
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22 Conservatee.
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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

JUL 29 2011

JOHN A. CLARKE, EXECUTIVE OFFICER/CLERK
BY Lisa Howard, Deputy
LISA HOWARD

CASE NO. BP108870

(Hon. Reva G. Goetz , Judge)

DECLARATION OF GERALDINE A.
WYLE RE:

1) *EX PARTE* NOTICE; AND

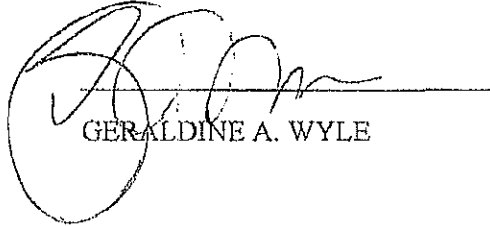
2) IN SUPPORT *EX PARTE*
APPLICATION FOR ORDER
CONTINUING HEARING ON BRAND
SENSE'S MOTION TO UNSEAL
DOCUMENTS AND SET ASIDE
ORDERS OF MAY 25, 2011 AND JUNE
7, 2011, TO AUGUST 30, 2011

Date: July 29, 2011
Time: 8:30 a.m.
Dept.: Room 258

1
DECLARATION OF GERALDINE A. WYLE RE: 1) *EX PARTE* NOTICE AND
2) IN SUPPORT *EX PARTE* APPLICATION FOR ORDERS

1 Instructing Conservators. Due process requires that the Co-Conservators have no less than the
2 statutorily authorized time to oppose the myriad of issues raised by the Motion to Unseal
3 Documents and Set Aside Order Instructing Conservators.
4

5 I declare under penalty of perjury under the laws of the State of California that the
6 foregoing is true and correct. Executed this 28th day of July, 2011 at Los Angeles, California.
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9 GERALDINE A. WYLE
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HOFFMAN
SABBAN &
WATENMAKER

LAWYERS

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July 27, 2011

Geraldine A. Wyle
gwyle@hswlaw.com

Louis R. Miller
Geoffrey A. Neri
Miller Barondoss, LLP
1999 Avenue of the Stars, Suite 1000
Los Angeles, CA 90067

Re: In re the Conservatorship of the Person and Estate of Britney Spears
Case No. BP 108870

Counsel:

I am in receipt of your client's "Notice of Motion and Motion to Unseal Documents and Set Aside Orders of May 25 and June 7, 2011; Memorandum of Points and Authorities; Declaration of Geoffrey A. Neri" (hereinafter the "Motion"). This letter is to inform you that you have improperly noticed and served this motion. *See California Code of Civil Procedure (CCP) section 1005.*

Pursuant to Code of Civil procedure, section 1005(b), "all moving and supporting papers shall be served and filed at least 16 court days before the hearing. . . . if the notice is served by facsimile transmission, express mail, or another method of delivery providing for overnight delivery, the required 16-day period of notice before the hearing shall be increased by two calendar days."

As you are aware, the Motion was served by overnight delivery service on July 26, 2011 (received July 27, 2011) and the hearing was set for August 17, 2011, two days earlier than that allowed according to Code of Civil Procedure, section 1005(b). We are not willing to waive the statutorily mandated notice. Additionally, given the importance and complexity of the issues raised by the Motion, we are unwillingly, and unable to waive the defective service.

By no later than 10:00 a.m. tomorrow, Thursday, July 28, 2011, please confirm in writing, through email or facsimile, that you will immediately re-set and re-notice the Motion hearing for an appropriate date pursuant to Code of Civil Procedure section 1005(b).

HOFFMAN
SABBAN &

WATERLOO R. Miller

Geoffrey Neri

July 27, 2011

Page 2

Very truly yours,

GAW:vtc

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Confirmation Report-Memory Send

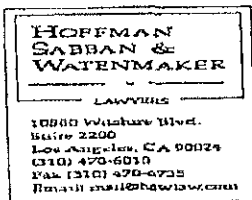
Time : Jul-28-11 08:11
Tel line 1 : 3104706735
Name : HOFFMAN, SABBAN&WATENMAKER

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Job number          : 338
Date                : Jul-28 08:10
To                 : 13105528400
Document Pages     : 03
Start time         : Jul-28 08:10
End time           : Jul-28 08:11
Pages sent         : 03
Job number          : 338

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*** SEND SUCCESSFUL ***



FAX COMMUNICATION

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

Date: July 28, 2011 Fax # (310) 552-8400
To: Louis R. Miller and Geoffrey A. Neri
Company Name: Miller Barondess, LLP
From: Geraldine A. Wyle
Re: Conservatorship of Spears; LASC Case No. BP108870
No. of pages: 3
(including cover sheet)

MESSAGE: See attached correspondence.

IF YOU DID NOT RECEIVE ALL PAGES, OR IF THERE WAS ANY OTHER PROBLEM WITH TRANSMISSION, PLEASE CONTACT RRS AT (310) 470-6010.

A PROFESSIONAL CORPORATION

HOFFMAN
SABBAN &
WATENMAKER

LAWYERS

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Los Angeles, CA 90024
(310) 470-6010
Fax (310) 470-6735
Email: mail@hswlaw.com

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To: Louis R. Miller and Geoffrey A. Neri
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MESSAGE: See attached correspondence.

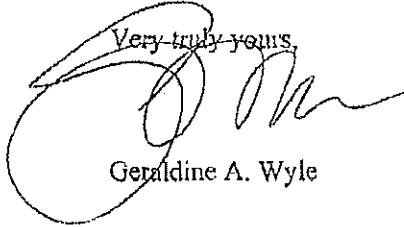
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HOFFMAN
SABAN &
WATERS
Lawyers
R. Miller
Geoffrey Neri
July 27, 2011
Page 2

Please consider this letter as notice that at 8:30 a.m., on Friday, July 29, 2011 in Room 258 of the Los Angeles Superior Court (Central District), located at 111 N. Hill St., Los Angeles, CA 9001, the Conservators of the Estate will apply to the Court, seeking an *ex parte* order continue the hearing on the Motion to August 30, 2011, at 10:00 a.m., on the bases set forth above, as well as the unavailability of counsel critical to the briefing of the Conservators' opposition to the Motion. We will withdraw this *ex parte* notice only if you provide us timely written confirmation that you will re-set and re-notice the hearing.

Very truly yours,



Geraldine A. Wyle

GAW:vtc

cc (via email): Andrew Waller
Samuel Ingham
Jeryll Cohen

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EXHIBIT "3"

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Email: mail@hswlaw.com

July 27, 2011

Geraldine A. Wyle
gwyle@hswlaw.com

VIA FACSIMILE AND ELECTRONIC MAIL

Louis R. Miller
Geoffrey A. Neri
Miller Barondess, LLP
1999 Avenue of the Stars, Suite 1000
Los Angeles, CA 90067

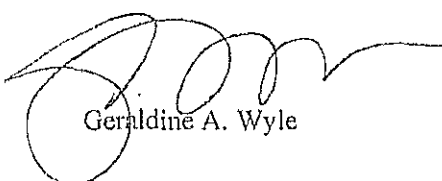
Re: In re the Conservatorship of the Person and Estate of Britney Spears
Case No. BP 108870

Counsel:

As we did not receive the courtesy of a response from either of you to our letter of yesterday evening, we will proceed with our ex parte application at 8:30 a.m., on Friday, July 29, 2011 in Room 258 of the Los Angeles Superior Court (Central District), 111 N. Hill St., Los Angeles, CA 90012.

Please inform us whether you will be appearing or opposing.

Very truly yours,


Geraldine A. Wyle

GAW:vtc

cc (via email): Andrew Waller
Samuel Ingham

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