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6 Co-Conservator of the Estate and
Conservator of the Person

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11 Attorneys for Co-Conservator of
12 the Estate

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

16 In re the Conservatorship of the Estate of

17
18 BRITNEY JEAN SPEARS,
19
20 Conservatee.

Case No. BP 108870

EX PARTE APPLICATION FOR LEAVE
TO LATE-FILE PETITION FOR ORDER
WAIVING APPRAISAL BY PROBATE
REFEREE OF CERTAIN ASSETS

21 Date: February 11, 2010
22 Time: 8:30 a.m.
23 Room: 258
24 Judge: Hon. Reva G. Goetz

CHECK: 40.00
CASH:
CHANGE:
CASH:

FILED: 2/11/2010
RECEIVED: 2/11/2010
DATE PAID: 02/11/10 08:04:16 AM
PAYMENT: \$40.00
NOTED: 02/10

1 JAMES P. SPEARS ("Mr. Spears") and ANDREW M. WALLET ("Mr. Wallet") of
2 Hinojosa & Wallet, as Co-Conservators of the Estate of Britney Jean Spears ("Ms. Spears"),
3 Conservatee, (jointly, the "Conservators") respectfully present their Ex Parte Application for
4 Leave to Late-File Petition for Order Waiving Appraisal by Probate Referee, as follows:

5 1. On December 22, 2009, the Honorable Reva Goetz, Judge Pro Tem presiding,
6 entered an order that the Conservators were to file a petition for an order waiving the probate
7 referee's appraisal of Ms. Spears's royalty and residual rights (the "Petition") by February 1, 2010,
8 which would be heard on March 8, 2010, concurrently with the continued hearing on the First
9 Account Current.

10 2. Mr. Spears' counsel was without their assistant for a ten week period from October
11 17, 2009, through January 3, 2010. The assistant has historically been in charge of calendaring
12 their matters, and Mr. Spears' counsel believed that all deadlines were being calendared by their
13 temporarily employed assistant. The filing date was therefore inadvertently not calendared.
14 Counsel for Mr. Spears did not discover the mistake until after the filing deadline set by this
15 Court. Through inadvertence and mistake, the Conservators' counsel, therefore, did not timely file
16 the required petition.

17 3. On February 2, 2010, Mr. Ingham inquired of the Conservators whether the Petition
18 had been filed. Mr. Wallet and counsel for Mr. Spears conferred and determined that neither of
19 them had done so.

20 4. Since February 2, 2010, the Conservators have been drafting the Petition and
21 addressing the issues it raises, including without limitation, finalization of the Inventory and
22 Appraisal, which is complex in this matter because of Ms. Spears diverse portfolio of assets.

23 5. The Petition will be ready for filing by Tuesday, February 16, 2010. Probate Code
24 section 1220 requires that at least 15 days' notice be given before the hearing on the Petition. As
25 the hearing has been scheduled for March 8, 2010, there is still sufficient time to file the Petition
26 on February 16 and have the Petition heard on March 8, 2010. The Conservators request leave to
27 file the Petition on or before February 16, 2010.

1 6. Mr. Spears is the conservator of Ms. Spears' person. Mr. Spears and Mr. Wallet
2 are the co-conservators of Ms. Spears' estate. Ms. Spears resides in Los Angeles County.

3 7. Samuel D. Ingham, III ("Mr. Ingham") is the court-appointed attorney for the
4 Conservatee.

5 8. No one has filed a request for special notice in this matter.

6 WHEREFORE, the Conservators request that the Court:

7 1. Find that notice of hearing of this petition was given as required by law;

8 2. Order that the Conservators may file their Petition on or before February 16, 2010;

9 and

10 3. Order such other relief that the Court considers proper.

11 DATED: February 10, 2010

HOFFMAN, SABBAN & WATENMAKER, APC
Geraldine A. Wyle
Jeryll S. Cohen

HINOJOSA & WALLET, LLP

12
13
14
15
16 By: _____

Geraldine A. Wyle

Declaration
Jeryll S. Cohen

DECLARATION OF JERYLL S. COHEN

I, JERYLL S. COHEN, declare:

1. I am an attorney licensed to practice law in the State of California and am a partner at the law firm Hoffman, Sabban & Watenmaker, counsel of record for James P. Spears, co-conservator of the estate and conservator of the person of Britney Jean Spears. Except as otherwise stated, the statements contained herein are based on my personal knowledge and experience. If called as a witness, I could and would testify competently to those facts.

2. At approximately 9:30 a.m. on February 10, 2010, I called the phone number set forth on the letterhead of Joseph Bua, the appointed probate referee for this matter. I reached his voice mail recording and left a message as follows: I informed him that at 8:30 a.m., on February 11, 2010, in Department 258, 111 No. Hill Street, Los Angeles, California, the Conservators would be bringing an ex parte application seeking leave to late-file a petition for order waiving the probate referee's appraisal of certain assets of the Estate.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct. Executed on February 10, 2010, at Los Angeles, California.



Jeryll S. Cohen

[illegible]

DECLARATION OF GERALDINE A. WYLE

I, GERALDINE A. WYLE, declare:

1. I am an attorney licensed to practice law in the State of California and am a partner at the law firm Hoffman, Sabban & Watenmaker, counsel of record for James P. Spears, co-conservator of the estate and conservator of the person of Britney Jean Spears. Except as otherwise stated, the statements contained herein are based on my personal knowledge and experience. If called as a witness, I could and would testify competently to those facts.

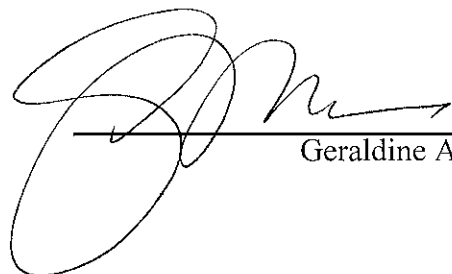
2. At approximately noon on February 9, 2010, I called Samuel D. Ingham, III. I informed him that at 8:30 a.m., on February 11, 2010, in Department 258, 111 No. Hill Street, Los Angeles, California, the Conservators would be bringing an ex parte application seeking leave to late-file a petition for an order waiving the probate referee's appraisal of Ms. Spears's royalty and residual rights.

3. Jeryll Cohen and I were without our assistant for a ten week period from October 17, 2009, through January 3, 2010. The assistant has historically been in charge of calendaring their matters, and we believed that all deadlines were being calendared by our temporarily employed assistant. The filing date was therefore inadvertently not calendared. We did not discover the mistake until after the filing deadline set by this Court.

4. On February 2, 2010, Mr. Ingham inquired of us whether the Petition had been filed. We conferred with Andrew Wallet and determined that neither of us had done so.

5. Since February 2, 2010, we have been drafting the Petition and addressing the issues it raises, including without limitation, finalization of the Inventory and Appraisal, which is complex in this matter because of Ms. Spears diverse portfolio of assets. We will be ready to file the Petition by no later than February 16, 2010.

1
2 I declare under penalty of perjury of the laws of the State of California that the foregoing is
3 true and correct. Executed on February 10, 2010, at Los Angeles, California.

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7 Geraldine A. Wyle
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