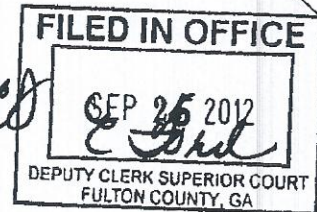


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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA



MARION P. HOUSTON and)
EMILY CISSY HOUSTON, TRUSTEES)

Petitioners,)

v.)

BOBBI KRISTINA BROWN,)

Respondent.)

Civil Action File No.: 2012-CV-221969

JOINT MOTION TO FILE AMENDED PETITION UNDER SEAL

Petitioners Marion P. Houston and Emily Cissy Houston (“Trustees”) in their capacity as co-Trustees of the residuary trust (the “Trust”) created under the Last Will and Testament of Whitney E. Houston (the “Testatrix”), as modified by the Decedent’s Codicil dated April 14, 2000 (the “Codicil” and collectively with the will, the “Will”) and Respondent Bobbi Kristina Brown (“Beneficiary”) and respectfully request that Trustees be permitted to file an Amended Petition under seal. In support of this motion, the Parties collectively state as follows:

1. On September 25 2012, Trustees filed their Petition to Reform Testamentary Trust with this Court, Civil Action File No.2012-cv-221969 (the “Petition”).
2. The Petition sought judicial reformation of the Trust due to changed circumstances that were not and could not have been anticipated by Testatrix at the time she made the will in February 1993.
3. Because the Petition was filed publicly, it generally described the need for judicial reformation, but did not specify the sensitive, personal and financial circumstances that justify the need for judicial reformation, nor did it specify the precise reformation requested.

4. Such information, which relates to intra-family gifts, is highly personal to the Testatrix's family and for that reason should be kept confidential. There is no legitimate public interest in the specific information related to the proposed reformation of the Trust.

5. This Court has the authority to seal confidential, personal, and/or proprietary documents related to pending litigation pursuant to Uniform Superior Court Rule 21.1, which provides in pertinent part "[u]pon motion by any party to any civil or criminal action . . . after hearing, the court may limit access to court files respecting that action. The order of limitation shall specify the part of the file to which access is limited, the nature and duration of the limitation, and the reason for the limitation." See also *Savannah College of Art & Design, Inc. v. School of Visual Arts, Inc.*, 270 Ga. 791, 515 S.E.2d 370 (1999) (holding that trial court abused its discretion in denying a motion to file confidential documents under seal); *Gottschalk v. Gottschalk*, No. A11A0565 (Ga. App. July 13, 2011) (noting trial court's order requiring personal, family documents related to minors in divorce case should be filed under seal).

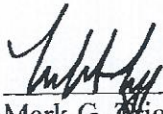
6. The parties to this litigation are in full agreement with regard to the sealing of pleadings and other filings providing any details regarding the reasons for the reformation of the Trust, or the terms of the Trust itself, beyond those contained in the Petition. The parties are also in full agreement that the Petition should be amended so that the Court is made aware of the specific rationale for the requested judicial modification and the specific changes requested. Indeed, as Trustees will show after the instant motion is granted and the Amended Petition is filed, the parties are in full agreement that the reformation sought therein should be granted with all due expediency.

7. Given the complete agreement of the parties, the highly confidential and personal nature of the information related to the proposed judicial reformation of the Trust, and the

complete lack of any legitimate public interest in such information, the parties jointly and respectfully request that the instant motion be granted, and Trustees be ordered to file the Amended Petition under seal. To the extent the Court wishes to conduct a hearing on this matter, the Parties request that it be scheduled as soon as possible.

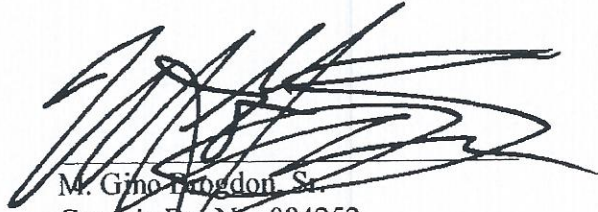
8. A proposed order granting the instant motion is attached as Exhibit A.

This 5th day of ~~August~~ ^{September}, 2012.



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Attorney for Respondent

EXHIBIT A

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

**MARION P. HOUSTON and
EMILY CISSY HOUSTON, TRUSTEES**)

Petitioners,)

v.)

BOBBI KRISTINA BROWN,)

Respondent.)

Civil Action File No.: 20120-CV-221969

ORDER TO FILE AMENDED PETITION UNDER SEAL

Upon consideration of the parties' Joint Motion to File the Amended Petition Under Seal, and after conducting a hearing in the above-referenced matter, the Court holds as follows:

1. An original petition was filed on September 25, 2012, which described generally the issues and relief requested.
2. The proposed Amended Petition contains additional personal and confidential information that was not contained in the original Petition.
3. It is in the interest of the parties that the additional information contained in the Amended Petition be protected from public inspection.
4. The information contained in the Amended Petition relates to the distribution of estate assets and reformation of a testamentary trust for the protection of the child of the testatrix. There is no legitimate public interest in the information contained in the Amended Petition that is not already contained in the publicly-filed original Petition.

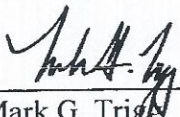
5. The harm to the privacy of the parties if the additional information in the Amended Petition were made publicly available far outweighs any legitimate public interest in such information.

Therefore, it is HEREBY ORDERED that Petitioners shall file the Amended Petition, and any later pleading or document containing sealed information, under seal, and that no access to the Amended Petition, any documents attached thereto, or any other sealed document, be granted for public inspection unless and until this Court deems otherwise.

SO ORDERED, this _____ day of _____, 2012.

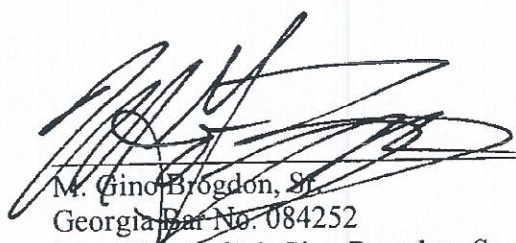
Judge
Superior Court of Fulton County, Georgia

Prepared and submitted by:



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General Civil Case Filing Information Form (Non-Domestic)

Court Superior State
County FULTON **Date Filed** 09/25/2012
Docket # 2012CV 221969 MM-DD-YYYY

Plaintiff(s)

Houston, Marion P.

Last First Middle I. Suffix Prefix Maiden

Houston, Emily Cissy

Last First Middle I. Suffix Prefix Maiden

Last First Middle I. Suffix Prefix Maiden

Last First Middle I. Suffix Prefix Maiden

No. of Plaintiffs 2

Plaintiff/Petitioner's Attorney Pro Se

Trigg, Mark G.
 Last First Middle I. Suffix

Bar # 716295

Defendant(s)

Brown, Bobbi Kristina

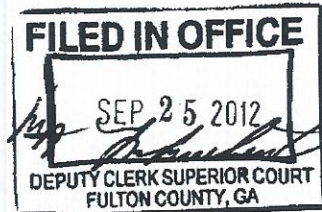
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No. of Defendants 1



Check Primary Type (Check only ONE)

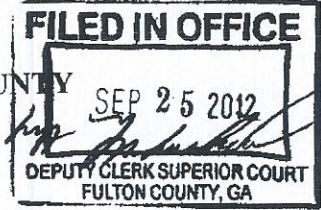
- Contract/Account
- Wills/Estate
- Real Property
- Dispossessory/Distress
- Personal Property
- Equity
- Habeas Corpus
- Appeals, Reviews
- Post Judgment Garnishment, Attachment, or Other Relief
- Non-Domestic Contempt
- Tort (If tort, fill in right column)
- Other General Civil Specify _____

If Tort is Case Type:
 (Check no more than TWO)

- Auto Accident
- Premises Liability
- Medical Malpractice
- Other Professional Negligence
- Product Liability
- Other Specify _____

Are Punitive Damages Pleaded? Yes No

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA



MARION P. HOUSTON and)
EMILY CISSY HOUSTON, TRUSTEES)

Petitioners,)

v.)

BOBBI KRISTINA BROWN,)

Respondent.)

Civil Action File No. 2012 CV 221969

PETITION TO REFORM TESTAMENTARY TRUST

Petitioners Marion P. Houston and Emily Cissy Houston ("Trustees"), as the Trustees of the residuary trust (the "Trust") created under the Last Will and Testament of Whitney E. Houston (the "Testatrix"), as modified by the Decedent's Codicil dated April 14, 2000 (the "Codicil") (collectively the Will and Codicil are hereafter referred to as the "Will"), hereby petition the Court to reform the Trust pursuant to O.C.G.A. § 53-12-62, as follows:

PARTIES, JURISDICTION, AND VENUE

1. Respondent Bobbi Kristina Brown, who is nineteen years old, is the sole beneficiary of the Trust. Respondent does not have any children and there are no other living issue of the Testatrix.
2. Respondent is a resident of Fulton County, Georgia and is subject to the jurisdiction of this Court.
3. Trustee Marion P. Houston is a resident of Fulton County, Georgia. Trustee Emily Cissy Houston is a resident of New Jersey.
4. Jurisdiction is proper before this Court pursuant to O.C.G.A. § 53-12-6.
5. Venue is proper in this Court as Respondent is a resident of Fulton County.

FACTUAL BACKGROUND

6. The Testatrix created the Trust under her Will on February 3, 1993 to hold her residuary estate in a testamentary trust for the benefit of her children and more remote descendants.

7. The Codicil appointed Michael Houston and Donna Houston, the Testatrix's brother and sister-in-law, respectively, as Trustees under the Will.

8. The Testatrix died on February 11, 2012.

9. Michael Houston renounced his right to serve as a Co-Trustee of the Trust on February 29, 2012.

10. Also on February 29, 2012, pursuant to the power set forth in the fifth unnumbered paragraph of Section Eleventh of the Will, Donna Houston prospectively appointed Emily Cissy Houston (the Testatrix's mother) and Marion P. Houston (the Testatrix's sister-in-law and business manager) as Co-Trustees of the Trust.

11. On March 1, 2012, Donna Houston renounced her right to serve as a Co-Trustee of the Trust. Accordingly, Petitioners are the current Co-Trustees of the Trust.

12. At the time of the Testatrix's death, Respondent was 18 years old. At the time of the Testatrix's death, and as of the date of this Petition, the Testatrix had no offspring or issue other than the Respondent.

13. The assets of the Trust will be comprised of the entirety of the Testatrix's residuary estate, that is, the Testatrix's net probate estate, less her tangible personal property (as defined in the Will) that is not sold by the Executors and added to Testatrix's residuary estate. It is believed that the Trust corpus will have valuable assets.

14. Pursuant to the Trust, the Trustees may, at any time or from time to time, pay to

the Respondent, or apply for her benefit, upon such occasions as the Trustees in their sole discretion shall deem advisable, so much or all of the net income and principal of the Trust.

15. The Testatrix provided in her Will that the purpose for which distributions of income and principal might be made to the Respondent was to provide for the Respondent's welfare and support.

16. In addition to the above described discretionary distributions, the Trust provides that the Trustees shall distribute the principal of the Trust according to a Distribution Schedule that provides for partial distributions to the Beneficiary upon attaining certain ages until the entirety of the Trust principal is distributed.

17. The Trust is a spendthrift trust.

NEED FOR JUDICIAL MODIFICATION

18. At the time the Will was executed on February 3, 1993, Respondent had not yet been born.

19. Respondent is the only child of Testatrix, a world-renowned singer, entertainer, actress, model and celebrity. Respondent has been the subject of significant media attention before, and especially after, the Testatrix's death.

20. Respondent is a highly visible target for those who would exert undue influence over her inheritance and/or seek to benefit from Respondent's resources and celebrity.

21. Compliance with the Distribution Schedule would likely directly conflict with and cause the opposite of the Testatrix's intent to provide long-term financial security and protection for her child, the Respondent.

22. Given these circumstances, which were not known to or anticipated by the Testatrix at the time she executed her Will, the Petitioners believe that the Trust should be judicially modified.

distributions of principal to Respondent be judicially modified so as to make the Distribution Schedule consistent with the intent of the Testatrix.

WHEREFORE, Petitioners hereby respectfully request that this Court:

- (a) Modify the Trust as requested in Count I of this Petition, and
- (b) Grant the Petitioners such other and further relief as this Court deems just and proper.

This 22nd day of August, 2012.



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Georgia Bar No. 141376

Attorneys for Petitioners

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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

MARION P. HOUSTON and)
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Petitioners,)

v.)

Civil Action File No. *2012CV021969*

BOBBI KRISTINA BROWN,)

Respondent.)

SUMMONS

TO THE ABOVE NAMED RESPONDENT:

Bobbi Kristina Brown
c/o M. Gino Brogdon Sr.
Law Office of M. Gino Brogdon, Sr.
174 Walthall Street
Atlanta, GA 30316

You are hereby summoned and required to file with the Clerk of said Court and serve upon the Petitioners' attorney, whose name and address is:

Mark G. Trigg
Peter N. Hall
Greenberg Traurig, LLP
Terminus 200, Suite 2500
3333 Piedmont Road, NE
Atlanta, GA 30305

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 25 day of Sept, 20012.

Clerk of Superior Court

By: 

Deputy Clerk