

TOXIC: THE BRITNEY SPEARS STORY
CHAPTER 5: Overprotected

[Witness Docs]

ARCHIVAL MONTAGE. CW, AP, Fox

NEWS REPORTER 1: Well, we have some breaking news for you out of Los Angeles this morning. Britney Spears has been rushed to the hospital, according to our affiliate station KTLA.... [fades down]

TESS BARKER, HOST: We're back to the week we told you about at the very beginning of the podcast. The week that Britney's parents, Lynne and Jamie, faced off with Sam Lutfi in Britney's home. The week Britney ended up in the hospital.

NEWS REPORTER 2: She was rushed by ambulance from her home early this morning. Family members have been spotted going in the psychiatric unit, but they say the 26 year old is doing fine. This is the second time in a month that Britney Spears has been hospitalized for mental health issues.

BABS GRAY, HOST: This is the week that would change Britney's life... forever.

[THEME MUSIC ENTERS]

TESS: On January 31st, 2008, the police showed up at Britney's home at The Summit, that gated community in the Hollywood Hills. They were there to take Britney to the hospital on an involuntary psychiatric hold, also called a 5150.

BABS: When the police burst through Britney's door, they found Britney, her mom Lynne, and Sam Lutfi inside. According to her book, Lynne had arrived only moments before, screaming for Britney to get out because the cops were coming.

TESS: The police quickly restrained Britney as Lynne tried to stop them.

LORILEE CRAKER: That was a very deeply poignant and tragic scene to me. And it was almost like the culmination of the way that we've treated Britney as a culture. It sort of all came to this terrible moment.

TESS: This is Lorilee Craker. A writer and editor who co-authored Lynne Spears' memoir -- "Through the Storm." We wanted to talk to Lorilee because she and Lynne co-wrote "Through the Storm " at the height of all this drama.

LORILEE: What I remember is just the you know the real despair of that scene, it was so tender, right? Britney is being strapped into a gurney and she's calling for her mama. And it was so heartbreaking, knowing how much Lynne loves Britney.

TESS: The world watched as the news unfolded on television. But there was even more going on behind the scenes.

BABS: A tug of war. Between Britney's parents, and Sam Lutfi. It had been escalating for months. And when Britney entered the hospital... It was like Lynne and Jamie Spears gave one last heave...and pulled the rope to their side once and for all.

LORILEE: They were so desperate to help their daughter, rescue their daughter. To me, it was very much a rescue operation.

TESS: A rescue operation from the man they viewed as dangerous to their daughter. Manipulative. A bad influence. Sam Lutfi. In her book, Lynne writes that this hospitalization would create the "in" they needed to get Britney away from Lutfi.

LORILEE: You know every good story has a villain, and in our book, Sam was the villain. I mean, he wasn't the only villain, but he was a big villain. It's almost like an action movie, you know what I mean? Like, finally, this guy was vanquished.

BABS: It *is* like an action movie, complete with fight scenes. The situation got so tense over the course of this week that Jamie ended up punching Lutfi. But as with any good action movie, there are also a couple plot holes. One of them being that Lynne makes it clear she believes *Lutfi* is the one who called the cops and got Britney into this psychiatric hold... that he set her up. But Lutfi has claimed in court docs that it was Britney's psychiatrist who made the call.

TESS: So there's two conflicting accounts of what went down that night. But one thing *is* certain - this 5150 hold put Britney in a very vulnerable place. It left her literally restrained, and subject to the will of her dad, Jamie. Britney entered the 5150 hold early Thursday morning... By that Monday... her conservatorship would be cemented.

THEME MUSIC ENTERS

TESS: We have a lot of questions about the validity of this conservatorship and how it was implemented.

BABS: In order to piece this story together, we've looked a lot of places for answers. In addition to Lynne's book, we've analyzed legal documents, news reports, and the probate code itself. We've talked with first-hand witnesses, doctors, and lawyers.

TESS: In this episode of Toxic, we're going to walk through what happened over that long weekend when Britney's conservatorship started. And - what we think went wrong.

THEME POST & OUT

ARCHIVAL: [CAMERA NOISES]

PAPARAZZO (ARCHIVAL): Britney I love your hat.

BRITNEY (ARCHIVAL): Would you please go away?

(cameras snapping)

BABS: This is paparazzi footage from x17, shot just hours before the police showed up at The Summit for Britney. It's nighttime, outside Britney's gate.

ARCHIVAL: Britney: Please go away. Please go away.

TESS: Britney wears a plaid fedora and grey coat, and hugs her small Yorkie dog close to her chest. She walks through the security entrance and plops down on the curb.

ARCHIVAL: Why are you crying? Britney!

Britney: I'm sitting for once and having a nice time with my dog.

Paps: That's it?

BABS: It's hectic. But not because of anything Britney is doing. Nothing about this scene screams "emergency."

TESS: That didn't stop the Los Angeles Police Department from showing up to The Summit shortly after this. And they had a plan. The LAPD spent two days strategizing on how to involuntarily commit Britney before they arrived at her door. They mapped out a route to transport Britney to UCLA Medical. They barricaded roads so the ambulance wouldn't be followed by paparazzi. They even had a code name for Britney: The Package.

BABS: This is where it first starts to become clear that something unusual is happening. An involuntary psychiatric hold- a 5150- is not generally planned ahead of time. But Britney's clearly was.

LISA MACCARLEY: I've never heard of a 5150 being prearranged. It's supposed to be a very spontaneous, drastic measure that you take to involuntarily hospitalized them, because if you don't, a life is at stake.

TESS: This is Lisa MacCarley. Lisa's been working as a probate and conservatorship attorney in Los Angeles for over 25 years - in the same court system that Britney was ultimately conserved in.

BABS: Lisa is ALSO an advocate for reform in the court system. In fact, you may remember we heard from Lisa back in episode one, when I spoke with her at a #FreeBritney rally. She's studied Britney's case inside and out and is horrified by it.

TESS: And Lisa KNOWS how 5150 holds normally get called in because in her work as an attorney, she's represented clients in these holds herself.

LISA: I get calls for people being 5150'd. And this is because they're in a grocery store, like smacking the crap out of the teller. They are in the act of either expressing that they want to kill themselves or hurt themselves, throw themselves off the ledge. And the police officers or the teams are supposed to be witnessing that.

ARCHIVAL: Paparazzi mele at hospital

TESS: It's 4 a.m. and "The Package" arrives at UCLA Medical in an ambulance. As you can hear, police and helicopters have followed the ambulance to the hospital. Once it pulls in, the paparazzi chase after it, banging on the doors and flashing their cameras into the windows. Britney is admitted. She'll be held here for at least 72 hours.

ARCHIVAL: Paparazzi mele at hospital

BABS: Lynne and Jamie arrive at the hospital. So does Lutfi. According to Lynne's book, the situation is immediately tense - the doctors will not allow Britney's parents into her room - only Lutfi. When Lynne and Jamie finally do get in to see Britney, Lutfi is sitting there - on Britney's bed - laughing.

TESS: Eventually, Lutfi leaves to get some In-N-Out Burger for Britney. The papps surround him. They seem to be relying on Lutfi for answers as to what's going on inside the hospital.

ARCHIVAL: PAPAARAZZO (ARCHIVAL): Is it dark in there Sam? Is it Scary?

LUTFI (ARCHIVAL): No

PAPAARAZZO (ARCHIVAL): Does she want fries Sam?

LUTFI (ARCHIVAL): Can you guys give me a minute?

BABS: When Lutfi gets back with the bag from In-N-Out, the doctor has decided Lutfi's no longer allowed in Britney's room. Neither are Britney's parents. Everyone is on edge.

TESS: With his daughter confined to the hospital, Jamie sees an opening. The very next day, Jamie goes to court with his lawyers. They file a petition indicating that Britney has dementia. They don't include any medical proof for this claim - but they say that information is forthcoming.

BABS: The petition is successful: Jamie is appointed Britney's temporary conservator. This puts him in charge of all of Britney's life and legal decisions. According to The New Yorker, a Spears family friend was with Jamie that day in court. She heard him bellow afterwards: "I am Britney Spears."

TESS: And Jamie's first order of business, as "Britney Spears" - get a restraining order. Against Sam Lutfi. In order to issue the restraining order, the court relies on a statement from Lynne that

details some pretty horrific behaviour from Lutfi - including that he cut Britney's phone lines and attempted to drug her without her knowledge. Lutfi later refutes these allegations in a defamation suit. He also gets 4 people to say under oath that these claims are untrue.

BABS: But if Lutfi *was* committing any of these illegal acts... why didn't Britney's parents ever call the authorities on *him*? The only police who showed up to The Summit that week were there for Britney. Not the guy who was allegedly drugging her.

TESS: And even if Lynne's claims about Lutfi are true - is conserving Britney really the appropriate way to get rid of him? Lisa McCarley doesn't think so.

LISA: It is not about well, he's got control of our daughter and he's making all the decisions for her and telling her what to do. All right. There might have been some legitimately wrong things going on. You deal with the bad guy or you find a way to deal with the problem. You don't go, "oh, well, because you're subjected to undue influence about Sam Lufti [sic]. Oh, we're just going to take your constitutional rights and throw them in the garbage with yesterday's pizza bones." You know what pizza bones are, right?

BABS: Pizza bones. Aka pizza crusts. Lisa may be joking around here - but she's totally serious when it comes to constitutional rights. Being in a conservatorship severely limits your civil liberties. Remember, one of the first things we learned about conservatorships is that you cease to be a person in the eyes of the law. Also just because someone is in the hospital on an involuntary hold doesn't mean it's necessary for a family member to go to court and conserve them. The very nature of a 5150 hold means that the patient is in the care of a doctor.

TESS: So it's weird to us that Jamie went to the court right away seeking full legal control of his daughter and her money, when nothing in the law says he should. And here's the thing, Jamie was able to get that initial, temporary conservatorship by claiming there *was* an *emergency* and he needed it right away.

LISA: To be honest, in these circumstances, there's no authority for having a conservator appointed on the same day that the petition is filed.

BABS: "No authority." As you'll hear, Lisa says this a lot. It doesn't mean what she's talking about is outright illegal... more just that there's nothing in the law saying you *should* operate in this way. In this case, she's saying that the law does not dictate a conservator be appointed right when a conservatorship is asked for. And, according to Lisa, it's only in urgent medical situations that these kinds of emergency hearings should be called.

LISA: In the kinds of cases where I've gone in and done things like that, I mean people are in comas because they've had strokes. Nobody's sitting in UCLA hospital eating In-N-Out burgers.

TESS: We talked to a judge about this, too. You'll hear from her in our next episode. And she said that this kind of emergency conservatorship, the kind Jamie sought out, is usually reserved for cases where someone is, say, in a coma, and they haven't expressed their medical wishes to the hospital. Nothing in any of the documentation we reviewed implied Britney was in or close to this kind of vegetative state.

MUX ENTER

BABS: On Friday, Jamie gets granted a temporary conservatorship over Britney. It's only good for 4 days. By Monday, Jamie's team of lawyers has to prove that Britney needs this conservatorship, or they won't be able to extend it. So, they get to work.

TESS: One of the most important things they'll need - is something called a capacity declaration. This is a form a doctor fills out. It literally has check boxes next to statements like: "The proposed conservatee can recognize faces and objects." "The proposed conservatee is aware of the date." It's the document that allows someone to conserve someone else.

BABS: According to court records, Jamie's lawyers start frantically calling a former psychiatrist of Britney's, trying to get him to give a capacity declaration. They spend all weekend calling and paging the psychiatrist. It doesn't work. On Sunday evening, the psychiatrist leaves a final message for Jamie's lawyers: He's been instructed by *his* attorney not to speak with them.

TESS: And what's going on with Britney, in her hospital room, while all this is happening? She's doing what I know I would be doing: trying to get an attorney to help her out of this mess.

BABS: Britney's divorce lawyers put her in touch with a lawyer named Adam Streisand. And yeah, Streisand is second cousins with that *other* Babs.

TESS: The less cool Babs, TBH.

BABS: Obviously.

TESS: More importantly, Adam Streisand is this high-powered attorney, and Britney wants to hire him. Streisand declined our request for an interview, though we know from others he's given that over this chaotic weekend in 2008, he and Britney talk on the phone multiple times. But court records show that when Streisand tries to see Britney in person at the hospital, Jamie's team won't allow it. Streisand accuses them over email of a "hostile takeover" of Britney, *his* client.

BABS: The reason Streisand isn't allowed to visit Britney - is that the court has already chosen a lawyer *for* her. Sam Ingham. In fact, Ingham was assigned to be Britney's attorney immediately - the same day Jamie got that emergency conservatorship. Britney suddenly has a lawyer that she's never even talked to.

BABS: The hearing to extend the emergency conservatorship takes place on Monday. It's at the Stanley Mosk Courthouse -- Home to future #FreeBritney rallies.

TESS: In the downtown courtroom, seven people gather to argue over Britney's fate. And none of these people are Britney. It's unclear whether she even knows it's happening.

BABS: Britney *should* have received notice of this hearing five days before it happened. It's a right all conserved people are entitled to.

LISA: So five days is what is prescribed by law, and that petition and a notice of hearing has to be personally served on the conservatee.

TESS: The only exception to this is if a person is facing immediate and substantial harm. Lisa says an example of this would be someone needing to go into surgery right away. Otherwise, notice should be served.

LISA: And that's part of the due process so that they know or if they're able to respond. That gives them a couple of days to respond. So that is what is normal and customary.

BABS: It's normal and customary to the point that it's actually in the constitution. Being notified of this hearing is a part of Britney's 5th Amendment right to due process.

TESS: But no one has told Britney about the hearing taking place on this Monday afternoon. Why? Because Jamie's lawyers tell the court that it could jeopardize her care - and - if they do notify her? Lutfi could find out about it. And they don't want him interfering with things. So, the judge waives Britney's right to be notified.

BABS: During the hearing, Britney is trapped in a hospital room on the other side of the city. But she does have someone there on her behalf - Adam Streisand.

LISA: On Monday Mr. Streisand shows up and says, I've spoken to Britney Spears, and says, I'm I've been asked to represent her.

TESS: Okay so, even though Streisand walks into that courtroom, tells the judge he's spoken personally with Britney, and that she wants Streisand to represent her -- the judge **refuses** to recognize Streisand as Britney's attorney.

BABS: The judge decides that Britney does not have the mental capacity to hire her own attorney. The judge makes that ruling based, in part, on a report given to her by Ingham. But how is it OK for the guy who stands to lose a job if Streisand gets hired to be the one advising the court on whether Streisand gets hired?

TESS: We find the fact that a judge wouldn't let Britney hire her own attorney - I don't know if this is a legal term, but, abo-fucking-lutly riDONKulous. Like, OJ tried to flee to Mexico in a Ford

Bronco, and he STILL got to hire Johnny Cochran! And OJ's never given us a bop like Work, Bitch.

BABS: Never a bop at all to be frank.

TESS: Ingham's assessment of Britney occurred the day before, when he visited her at the hospital for a reported 15-minutes. In Lisa's view, Ingham opining as to Britney's mental capacity is another "no authority" situation. Not illegal or uncommon, but also not specifically called for by the law.

LISA: This is not the job of a court appointed attorney.

TESS: We trust Lisa on this stuff. Remember, she has *been* a court appointed attorney in conservatorship cases.

BABS: We checked California Probate code 4.1271, thank you very much. And it says these attorney's reports are supposed to include information about the attorney themselves -- that they're active members of the bar. How much they plan to bill. There's no mention of offering opinions on the capacity of their client. But nevertheless, the judge clearly values Ingham's opinion, because he gets to stay. Adam Streisand, Britney's attorney of choice, is booted from the courtroom.

LISA: Justice for Britney Spears died the day that Adam Streisand was told to leave the courtroom.

MUSIC ENTERS

TESS: After Streisand's been ejected - a court order is issued. It states that if Britney seeks out her own attorney again -- she's gonna have to go through someone else first.

LISA: The court order says she can't see another attorney without the permission of her father, the conservator.

BABS: So in other words, if Britney wants, for example, to talk to someone about how to get out of the conservatorship - she has to go through the conservator. The person she's trying to be emancipated from.

TESS: Another important thing happens at this hearing - or we should say, doesn't happen.

BABS: The capacity declaration - the one that Jamie's team was frantically trying to get all weekend - the one that is necessary to conserve someone - they don't have one at this hearing. They have managed to get a doctor at UCLA to issue some kind of statement - due to confidentiality laws, we don't know what exactly that statement is - but it's not an official capacity declaration. Jamie's lawyers say they'll get one within the next two weeks.

TESS: But they don't.

BABS: And in fact, it seems as though they *never* do.

TESS: That's right - legal notes posted to Britney's case in April 2021 - said that a capacity declaration has NEVER been filed.

MUSIC FADES OUT

BABS: So these last 13 years, Britney has remained under control of her father, had her rights taken away, all without the document filed by a doctor saying she needs a conservatorship. That's like being convicted of a crime based on your DNA, when they haven't even taken a sample of your DNA.

TESS: Still, even without the proper medical documentation, On Monday, February 4th, 2008, Jamie Spears leaves that courtroom solidified as Britney's conservator. The tug of war is over. The villain has been vanquished.

BABS: Lutfi, we should mention, has been vocally opposed to the conservatorship since it started. Here he is around 2010 talking to a reporter from TMZ about the limits on Britney's freedom.

LUTFI (ARCHIVAL): Maybe you should ask her that. You know, it would be kinda cool if you could talk to her, wouldn't that be cool? If she was able to talk - a 27 year old, can't really speak, doesn't have a cell phone, can't see her friends. Little odd, don't you think? 27 year old... touring the whole world, no?

BABS: The Spears family still has a restraining order against Lutfi to this day, by the way. And we can't not share this detail: the order specifically states that Lutfi cannot refer to Britney's family or team as a quote "clan of hillbilly criminals."

TESS: I think that's a reality show from 2005 right?

BABS: Oh my God, my fave, right after Duck Dynasty.

TESS: Exactly.

TESS: The conservatorship may have helped drive Lutfi out of Britney's life, but it was an extreme measure to place Britney in such a permanent arrangement. And according to one doctor we'll talk to, if Britney's parents really wanted to help her, if she had a mental health issue that needed addressing, they could have taken a different approach. And if they had, maybe Britney would be free today.

MUX OUT

MIDROLL

BABS (QUESTION): So this podcast is about Britney Spears. Are you a Britney Spears fan?

DR. IMANI WALKER: I was a big NSYNC fan. I will admit that.

BABS: This is Dr. Imani Walker.

DR. IMANI: So I think I was probably more boy band oriented than, like Britney oriented.

BABS: Totally.

TESS: Fair enough. We won't hold that against you.

TESS: Dr. Imani is a mental health professional who has placed hundreds of her patients on 5150s — when circumstances necessitated it. She's also recommended conservatorships for hundreds of patients. And that's why we wanted to talk to her.

DR. IMANI: I am a psychiatrist and I'm also chief medical officer of Gateways Hospital and Mental Health Center here in Los Angeles.

BABS: As we've said, we don't want to speculate on any mental health issues Britney may or may not have. But we did have questions about how mental health ties into conservatorships in general.

TESS: Talking with Dr. Imani helped us understand *yet another* element of this conservatorship that doesn't sit right with us.

BABS: One thing we've learned is that there's a few different types of conservatorship in California. One of those is a probate conservatorship. That's generally for older people who are dealing with serious ailments that are not expected to get better.

TESS: And then, there's a Lanterman-Petris-Short, or LPS conservatorship. These are initiated by a doctor, due to concerns about someone's mental health.

BABS: When Dr. Imani found out which type of conservatorship Britney is in, she was surprised.

DR. IMANI: I had actually assumed all this time that she was under LPS conservatorship. So it actually wasn't until I did a little bit of digging and I was like, oh, she's on a probate conservatorship.

BABS: One of the biggest differences between the two is that probate conservatorships have much more to do with money than an LPS conservatorship. Probate conservatorships, like the

one Britney is in, are dealt with in the probate court - the same place people go when there's a dispute over a dead person's estate.

DR. IMANI: I was kind of confused because I was like, well, they could have just granted her an LPS conservatorship, which would have renewed once a year, because the expectation is we're trying to have the person conserved and have a conservator to help them get better. The thinking is we're trying to get this person stable and beyond stable. So we want to get them to a place where they can take care of themselves. So LPS conservatorships are renewed every year, once a year. But with a probate conservatorship, that's lifetime.

TESS: If, in 2008, Britney was going through some mental health issue, and the goal was to help her get better - why not place her in a mental health conservatorship? We asked Dr. Imani her thoughts.

DR. IMANI: I don't know these people at all, but I am a parent and I'm guessing that potentially her dad wanted to make sure that he had control of her money, either for nefarious reasons or because he was just really concerned about his daughter, like, oh, my God, you have a history of being sick and having mood swings and maybe not making the best financial decisions. And he wanted to make sure that at least maybe, you know, himself a family member would be able to have more control and say-so over where her money goes.

TESS: So whose idea was this conservatorship anyway? Well, what we know about that comes largely from court documents... and from Lynne Spears' book.

LORILEE: So it was the spring of 2007 and I got a call from my then agent and he said, Hey Lorilee, how would you like to write a book with Britney Spears' mom?

BABS: This, again, is Lorilee Craker, co-author of *Through the Storm*.

LORILEE: The first thing that happened was I was flown to Nashville to meet with Lou and Lynne at Lou's office and yeah, Lynne and I hit it off, I would say within seconds. She's just a kindred spirit.

TESS: That Lou woman Lorilee is talking about is Lou Taylor. She's an important player in this story.

BABS: But before we get into all that, we wanna give you a little background on Lynne's book. Lorilee and Lynne began writing *Through the Storm* in 2007, around the same time that Britney met Sam Lutfi. The book was published in late 2008. So Lorilee was actively working on it at the same time the conservatorship was being put in place.

TESS: Lorilee spent hours on the phone with Lynne, listening to old stories about Britney's childhood. A few times, Lorilee even flew out to Louisiana to stay with Lynne at the home Britney bought for her mom shortly after making it big. A sprawling estate in Kentwood they named Serenity.

LORILEE: You drive up and there is these giant gates and it says Serenity. And then the gates suddenly open and you're admitted like into the inner sanctum of heaven or something.

BABS: Sounds like a home fit for a mother of Godney. Lorilee remembered one trip to Serenity that was especially exciting.

LORILEE: Lynne runs out of the house and she's like, she's like "there's a snake in the pool and Lou's here!" Like what?! We literally were clinging to a tree while little Lynne, who is so tiny, was getting the snake with, like a hoe or something. She's like lifting the snake out of the pool. And she hacked it to pieces right there in front of us.

TESS: Wow we have heard a lot of stories while making this podcast but Lynne Spears chopping up a giant snake - I did not see that one coming. So okay - there's a snake in the pool and Lou's here! Lou Taylor. Back to her. Lou Taylor is the person who found Lorilee, and brought her on as co-writer of Lynne's book. Lou also ultimately became a very important figure in Britney's career. And Britney's finances. Even though, from what we can tell, Britney has never wanted Lou to be involved.

MUSIC ENTERS

BABS: Lou Taylor founded a business management company called Tri-Star Sport & Entertainment. A business manager is something most celebrities have - they handle taxes, investments, and payroll. In 2010, Tri-star became the business manager for Britney's estate under the conservatorship.

TESS: We're going to be going in deep on what's going on with Britney's money in a later episode, but for now, you just need to know that in 2007 and early 2008 Lou Taylor wasn't working for Britney yet. But she was working as a business manager for members of Britney's family.

MEREDITH VIERA (ARCHIVAL): Lou Taylor is the business manager for Britney Spears father, mother and younger sister, Jamie Lynn. Lou, good morning to you.

LOU TAYLOR (ARCHIVAL): Good morning, Meredith. Thanks for having me this morning.

T: This is Lou Taylor *being introduced* by Meredith Viera on The Today Show as the "Spears Family Spokesperson" in early January 2008. She's there to comment on Britney's first hospitalization.

LOU TAYLOR (ARCHIVAL): Well, we thought it was important for people to just have a voice for Jamie --or to hear a voice for Jamie and Lynn Spears. So really, for I guess for me to be self-indulgent for a moment, that I would really hope that all those who seek God for strength in their life would be interceding for this family because Jamie Spears, Lynn Spears.... [FADES DOWN]

BABS: Lou Taylor is hard to pin down. She declined our request for an interview. We also contacted a few past employees of Tri-Star to ask about their work experience. Within hours of messaging, we got cease and desist letters from Tri-Star's lawyers.

TESS: Lorilee is one of the only people we've talked to who's actually interacted with Lou Taylor and was willing to speak with us about it.

BABS (QUESTION): What were your, I guess, impressions of. Of Lou, like in her relationship with Lynne?

LORILEE: Well. You know, I think that Lynne... Let's put it this way, Lynne and I, we're sort of the same kind of person -- we are more sensitive. More worried about people's feelings, that kind of thing, and Lou is incredibly strong and alpha. She was not displeased that someone had said she was like the boss in "The Devil Wears Prada." She kind of thought that was funny.

BABS: A big reason we're interested in knowing more about Lou is because court documents indicate she played a part in planning Britney's conservatorship, years before officially getting involved in Britney's money.

LORILEE: Well, in the book, it states that it was, I think basically Jamie and Lou, with Lynne's consent, I think, that they were, they were plotting this. They were trying to figure out how to, um, how to Free Britney.

BABS: That's right. This conservatorship was planned as a means to "free Britney." From Sam Lutfi.

TESS: Lynne's book mentions that quote "quiet plans" were underway for the conservatorship six weeks before it was implemented.

BABS: According to Through the Storm, Jamie was even trying to get the conservatorship earlier but quote "he and his business manager Lou, felt God leading them to wait."

TESS: Why were Jamie and Lou praying about a conservatorship? Is it possible that they had started with the idea of a conservatorship and then brainstormed ways they could bring it to fruition?

LORILEE: One thing that I find very interesting is I didn't know anything about a conservatorship, so I had to look that up. And when I was writing about it, I was told to go back and add the word temporary every single time. So, yeah, it was supposed to be a temporary conservatorship,

TESS (QUESTION): Who was telling you to add the word temporary?

LORILEE: Let's say there was — I was being told. I was given direction.

BABS: So Lorilee was told — by whom she doesn't want to say — to make sure that Lynne's book said the conservatorship was only ever supposed to be temporary. But if the plan was just to deal with an emergency and get Britney out of the clutches of Sam Lutfi... why is the conservatorship still in place 13 years later?

MUSIC ENTERS

TESS: When we emailed Lou to ask for an interview, We got a response from her lawyer. It was a four page letter. Here's a small section:

BABS: "First, one of the many false rumors circulating on the internet is that Tri Star (or Lou Taylor) was part of the decision to create the conservatorship in the first place. Tri Star, including Lou Taylor, had no role in the creation of the conservatorship."

TESS: It goes on to say, though, that "Tri Star representatives *were* party to certain conversations relating to a possible conservatorship."

BABS: Okay, to us this feels like a PRETTY narrow distinction. Being involved in conversations about a possible conservatorship sounds QUITE similar to playing a role in creating said conservatorship.

BABS: Lorilee says that she no longer believes Britney should be in a conservatorship. But she thinks she understands why Britney's parents sought one out in the first place.

LORILEE: I honestly think they didn't know what else to do. They wanted to get their daughter away from Sam. And desperate times, you know what they say about desperate times. And I felt that it was a very, extremely desperate time. And this was one option that they had. I mean, I don't know how many other options they really had.

TESS: This story, the one about a father swooping in to save his daughter, this is the story we've always gotten about the conservatorship, and one a lot of us bought into for a long time -- that it was necessary. That Jamie was some kind of a hero - but remember, by many accounts, Britney has long had a strained relationship with her father.

BABS: We know from Lynne's book that Jamie was a pretty unstable force in Britney's childhood. He struggled with alcoholism and wasn't really around. And also, he wasn't on good

terms with Britney in the time leading up to her conservatorship. Britney didn't even feel comfortable with Jamie at her house.

TESS: There's one more thing that sticks out to us as very odd about the week Britney was conserved. During that weekend full of activity where Jamie's lawyers were trying to get the capacity declaration, and Adam Streisand was trying to help Britney, and Britney was stuck in a hospital, Jamie Spears, the brand new conservator, somehow found time for this:

[SUPER BOWL MUSIC ENTERS]

ANNOUNCER: Fox Sports presents Super Bowl 42... [FADES OUT]

BABS: That Sunday, Jamie took a job catering a Super Bowl party. We know this from documents he filed to the court. And the account he gives is pretty surprising. We've dramatized the events of that day with actors, based on Jamie's court statement. To be clear, the quotes that we're using here are directly from Jamie.

[SFX Grilling, cooking sounds]

TESS: It's a couple hours before kick off and Jamie works the grill.

TESS: His phone rings. **[phone buzz sound effect]** It's Britney.

ACTOR AS BRITNEY SPEARS: Daddy, what are you doing?

ACTOR AS JAMIE SPEARS: I'm cookin'.

ACTOR AS BRITNEY: What are you doing cooking, Daddy, why are you not here with me?

ACTOR AS JAMIE: Baby, Daddy's got to work.

[phone buzz sound effect]

TESS: Britney calls again.

ACTOR AS BRITNEY: Hurry up and get here.

ACTOR AS JAMIE: Why?

ACTOR AS BRITNEY: Because you gotta get me outta here.

TESS: After a couple hours, Jamie finishes up work and heads for the hospital.

TESS: He finds Britney lying down on her bed. He leans over to kiss her. She turns her head away.

ACTOR AS JAMIE: I love you.

ACTOR AS BRITNEY: No you don't.

TESS: Britney gets up.

ACTOR AS BRITNEY: The doctor told me that you are keeping me in here.

ACTOR AS JAMIE: No, I'm not keeping you in here.

ACTOR AS BRITNEY: Someone's lying.

MUSIC ENTERS

BABS: Like we said, this whole account is just odd. Look, if Jamie had this gig booked already, and needed to work it, I guess I could see that... if he hadn't just gone out of his way to legally be the one overseeing Britney! If he hadn't allegedly declared "I am Britney Spears!" a couple days prior.

TESS: Another thing that sticks out to us about Jamie's statement is how confused Britney seems to be. It doesn't appear as though anyone is giving her the straight story about what's going on. Or why she's been hospitalized.

BABS: We may never know exactly why Britney landed in the hospital that night in January 2008. Who called in that 5150? Was it Lutfi, or someone else? But we know enough about what transpired that week to confidently say that Britney has been the victim of a huge injustice. Here's why:

TESS: Britney should have been able to choose her own lawyer. She should have been given notice the conservatorship hearing was happening in the first place. Jamie's lawyers should have presented a capacity declaration from a doctor, which they promised they would, back in 2008, and STILL haven't. And if, at 26 years old, Britney's mental health necessitated a conservatorship, she should have been entered into the kind that's designed to help people get better.

BABS: But what should have happened, didn't. And just over a month after a judge decided Britney didn't have the capacity to make her own decisions, she was doing this.

BRITNEY (ARCHIVAL): My mom was wrong. There are nice guys in New York.

NEIL PATRICK HARRIS (ARCHIVAL): We just have to go back to my hotel room first. My bed was broken. I just have to make sure they fixed it.

BABS: This is Britney on *How I Met Your Mother*, in a scene with Neil Patrick Harris. She's in two episodes and she totally steals the show. She's really funny. Her timing is spot on. You would never guess she filmed it just six weeks after being hospitalized for an allegedly life-threatening mental health situation.

BRITNEY (ARCHIVAL): But if it's fixed, can we have sex on it and then go shopping?

MUSIC ENTERS

TESS: A couple months after this aired, Britney recorded her new album, *Circus*. Then she toured the album. *Circus* was in the top five grossing tours of 2009. Then, Britney was a judge on *The X-Factor*, a music competition show. She was the highest-paid reality judge ever. She also performed hundreds of times on the Las Vegas Strip as part of a 4 year concert residency. And yes, she was the highest-paid Vegas performer of all time.

BABS: Yet during ALL of this... *SINCE* that Monday hearing in February 2008, Britney's conservators have had immense power over her life. They can choose who her security guards are. And keep them there around the clock. The conservators are legally entitled to limit her visitors. They can make medical decisions on her behalf. They can enter her into contracts for things like performing. Recording. Tours. Music videos. TV shows.

TESS: But when it's payday for these projects, it's not Britney cashing the checks. She can't even legally endorse a check. Or open a bank account. And all of this is happening in plain sight. And before the eyes of the court. How has this been allowed to persist?

BABS: Next time on *Toxic*, we're zooming out to look into the complicated, far-reaching legal system that Britney's case is a part of. Because, while our interest in conservatorships started with Britney, it turns out her story is just one of many.

MUSIC ENDS

RICK BLACK: What the public doesn't understand is conservatorship is a profit center for members of the California bar, it's a profit center, plain and simple.

CREDITS:

BABS: Our production team at Witness Docs made this show possible! Thank you to our senior producer Abigail Keel, our producer Kevin "Ktid" Tidmarsh, our story editor Gianna Palmer, our executive producer Kameel Stanley and head of content Peter Clowney.

TESS: Casey Holford is the technical director for Witness Docs and he rocks. He mixed this episode and composed the boppin' original music for *Toxic*.

BABS: Zoe Schwab is the best researcher ever and she's been along for the ride with us the entire time. Our fact checker is Anakwa Dwamena [[AHN-ak-wa JWA-mehna](#)].

TESS: Special thanks to ACTORS

BABS: Toxic is written and hosted by me, Babs Gray.

TESS: And me Tess Barker! You can find transcripts of all our episodes at our website, witnesspodcasts.com.

BABS: Got a tip for us? Or just want to say hi? Reach out to the show at britnepod@stitcher.com Or follow us on social [@britneysgram](#).

TESS: If you like this show and want to support us, tell a friend about us! Or better yet, send them a link to the first episode. And don't forget to subscribe to the show wherever you listen to pods. Thank you!

BABS: Thanks!