

STATE OF MINNESOTA

IN SUPREME COURT

A12-1149

FILED

July 9, 2012

**OFFICE OF
APPELLATE COURTS**

Warren Limmer, Steve Gottwalt,
Dan Hall, Steve Drazkowski, Sean
Nienow, Paul Gazelka, Julianne Ortman,
Peggy Scott, Michelle Benson, Ernie
Leidiger, Bob Dettmer, Glenn Gruenhagen,
Bob Gunther, Joyce Peppin, and Mike Benson,
all individuals, registered voters, and Members of
the Minnesota Legislature; John Helmberger,
an individual and a registered voter; and
Minnesota for Marriage, an association of
individuals and registered ballot committee,

Petitioners,

vs.

Mark Ritchie, in his official capacity as Secretary
of State of the State of Minnesota, and Lori
Swanson, in her official capacity as Attorney
General of the State of Minnesota,

Respondents.

O R D E R

Petitioners have filed a petition pursuant to Minn. Stat. § 204B.44 (2010) asking the court to order respondent Secretary of State to use as the title of the question on the November 2012 general election ballot pertaining to Ch. 88, S.F. 1308, the title specified in Ch. 88, S.F. 1308, namely, “Recognition of Marriage Solely Between One Man and One Woman.”

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Petitioners shall serve each of the respondents no later than noon on Tuesday, July 10, 2012. Petitioners shall file affidavits of service with the Clerk of Appellate Courts no later than 4:30 p.m., Tuesday, July 10, 2012.

2. Respondents shall file with the Clerk of Appellate Courts and serve on petitioners any written response to the petition and any supporting materials no later than 4:30 p.m., Monday, July 16, 2012. As part of his response, respondent Secretary of State shall inform the court of the date by which a decision of this court is necessary in order to modify the ballot, if necessary, before the November 6, 2012, general election.

3. Petitioners may serve and file a reply memorandum in response to respondents' submissions no later than 4:30 p.m., Wednesday, July 18, 2012.

4. Any party who contends there is a genuine issue of fact or facts material to the case shall notify the court and all other parties by 4:30 p.m., Monday, July 16, 2012, of the specific disputed fact or facts and shall further identify any material in the record that establishes that the fact or facts are disputed.

5. Any person or entity wishing to intervene in this matter shall file a written motion with the Clerk of Appellate Courts and serve the parties no later than 4:30 p.m., Wednesday, July 11, 2012.

6. Any person or entity wishing to participate as an amicus curiae in support of the petitioners shall file a written motion and proposed brief with the Clerk of Appellate Courts and serve the parties no later than 4:30 p.m., Thursday, July 12, 2012. Any person or entity wishing to participate as an amicus curiae in support of the

respondents shall file a written motion and proposed brief with the Clerk of Appellate Courts and serve the parties no later than 4:30 p.m., Monday, July 16, 2012.

7. The court will hear the matter on July 31, 2012, at 9:00 a.m. in Courtroom 300, Minnesota Judicial Center. Petitioners shall have 35 minutes for argument, followed by 25 minutes for respondents.

8. Parties and proposed amici shall file an original and 14 copies of any submission to the court (2 of which shall be unbound), in the form provided in Minn. R. Civ. App. P. 132.02, except that text and footnotes shall appear in at least 13-point type or its equivalent.

9. Service and filing of documents by regular mail is permissible if a complete copy of the material is also transmitted by e-mail to all parties and to the Clerk of Appellate Courts by the deadlines imposed herein. The e-mail address for the Clerk of Appellate Courts is mjcappellateclerkofcourt@courts.state.mn.us. Counsel for the parties and amici, and any unrepresented parties, shall provide the Clerk of Appellate Courts with an e-mail address to which the clerk may transmit any further notices, orders, or decisions of the court.

Dated: July 9, 2012

BY THE COURT:

/s/

Lorie S. Gildea
Chief Justice