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State of Minnesota

JUL 27 2012

In the Supreme Court **FILED**

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**Warren Limmer, et al,**  
*Petitioners,*

vs. (A12-1149)

**Mark Ritchie, et al.**  
*Respondents,*

and

**Mary Kiffmeyer, et al.,**  
*Petitioners,*

vs. (A12-1258)

**Mark Ritchie, et al.**  
*Respondents.*

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**PETITIONERS' MOTION FOR ADDITIONAL TIME FOR ORAL ARGUMENT  
AND FOR ARGUMENT BY TWO ATTORNEYS**

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Pursuant to Minnesota Rules of Civil Appellate Procedure 134.03, Subd. 2, the undersigned Counsel, on behalf of petitioners in both of the above-captioned cases (together, "Petitioners"), hereby move this Court to permit oral argument by attorneys for each of the respective Petitioners, and to allow such minimal additional time at oral argument in these consolidated matters to afford each of the Petitioners to fully advise the Court of its arguments and interests. While the two cases are substantially similar, they are not identical. We respectfully request the Court's reconsideration of its Order limiting

the Petitioners in the two separate cases to only one counsel for both, and to allow such increase in the Petitioners' total time allotted for argument by 15 minutes, for a total of 50-minutes in order that each of the Petitioners will have sufficient opportunity to be heard, separately and through their respective counsel. In support hereof, Petitioners represent:

1. Petitioners warrant to the Court that they have been and will continue to cooperate and prepare arguments that are not duplicative of the other.
2. There are indeed separate issues related to each of the cases and that each of the cases should be considered on its merits, particularly as there are or may be distinguishing characteristics of fact or law for the Court's consideration.
3. Specifically, in these consolidated cases, there are three discrete issues for argument: (a) the constitutionality of the Secretary of State's actions; (b) the "appropriateness" of the Marriage Amendment title; and (c) the "appropriateness" of the Voter Identification Amendment title.
4. Until this Court's order today consolidating the cases for oral argument and instructing the parties to utilize one attorney, Mr. Lorence planned to focus on the first two issues, and Mr. Kaardal on the latter issue.
5. Petitioners therefore request this Court to extend the time for oral argument from the current 35-minutes for Petitioners and 25-minutes for Respondents to 50-minutes for Petitioners and 35-minutes for Respondents.
6. Counsel for Petitioners have discussed and have agreed upon a division of the requested 50-minutes. Specifically, Mr. Lorence will present argument for 25-minutes

and Mr. Kaardal will present argument for 15-minutes. Respondents' counsel will then present argument for an amount of time to be determined by this Court. Petitioners' respective counsel will then argue for 5-minutes of rebuttal time each.

7. The undersigned discussed this Motion with Mr. Alan I. Gilbert, Counsel for Respondents in both cases. Mr. Gilbert was unable to say whether he objects or consents to this Motion. If he objects, he indicated he would Respond to this Motion.

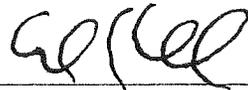
Respectfully submitted,

Zachary S. Kester (Ind. 28630-49)\*  
Kaylan L. Phillips (Ind. 30405-84)\*  
Noel H. Johnson (Wisc. 1068004)\*  
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COUNSEL FOR PETITIONERS

\* Admitted Pro Hac Vice

\*\* Local Counsel



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Counsel for Petitioners  
(Case No. A12-1258)

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Jordan W. Lorence (Minn. 0125210)  
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[jlorence@alliancedefendingfreedom.org](mailto:jlorence@alliancedefendingfreedom.org)

Counsel for Petitioners  
(Case No. A12-1149)

and Mr. Kaardal will present argument for 15-minutes. Respondents' counsel will then present argument for an amount of time to be determined by this Court. Petitioners' respective counsel will then argue for 5-minutes of rebuttal time each.

7. The undersigned discussed this Motion with Mr. Alan I. Gilbert, Counsel for Respondents in both cases. Mr. Gilbert was unable to say whether he objects or consents to this Motion. If he objects, he indicated he would Respond to this Motion.

Respectfully submitted,

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COUNSEL FOR PETITIONERS

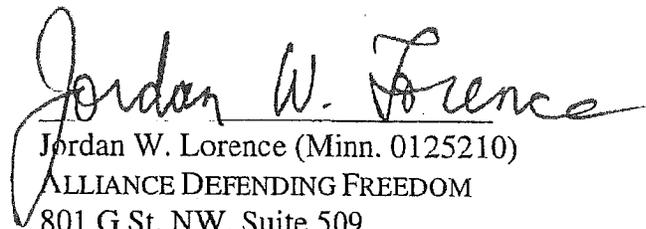
\* Admitted Pro Hac Vice

\*\* Local Counsel

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(Case No. A12-1258)



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Counsel for Petitioners  
(Case No. A12-1149)

JUL 27 2012

FILED

STATE OF MINNESOTA  
COUNTY OF Ramsey

Ct. File No. A12-1149 & A12-1258

David J. Landa, being duly sworn, on oath says:  
that on the 27<sup>th</sup> day of July, 2012 at 10:00am he served  
the following:

Petitioners' Motion for Additional Time for Oral  
Argument and for Argument by Two Attorneys

on Terese S. Collett therein named, personally  
at 1000 LaSalle Avenue, MSL 400, Suite 450,  
Minneapolis, county of Hennepin, State  
of Minnesota, by handing to and leaving with  
Bethany Fletcher, Administrative Assistant, An expressly  
authorized agent for service

\_\_\_\_\_ a true and  
correct copy thereof.

Subscribed and Sworn to Before Me this



27 day of July, 2012

Dhyun Yu  
Asst Clerk



JUL 27 2012

FILED

STATE OF MINNESOTA  
COUNTY OF Ramsey

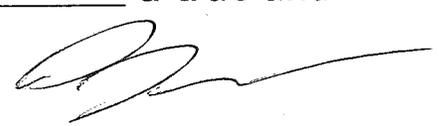
Ct. File No. A12-1149 & A12-1258

David J. Lunda, being duly sworn, on oath says:  
that on the 27<sup>th</sup> day of July, 2012 at 10:19am he served  
the following:

Petitioners' Motion for Additional Time for Oral  
Argument and for Argument by Two Attorneys

on William Pentelovich therein named, personally  
at 90 South 7th Street, Suite 3300,  
Minneapolis, county of Hennepin, State  
of Minnesota, by handing to and leaving with  
Georgia Solnitzky, Receptionist, an expressly  
authorized agent for service

\_\_\_\_\_ a true and  
correct copy thereof.



Subscribed and Sworn to Before Me this

27 day of July, 2012

Angie Z...  
Asst. Clerk

JUL 27 2012

FILED

STATE OF MINNESOTA  
COUNTY OF Ramsey

Ct. File No. A12-1149 & A12-1258

David S. Landa, being duly sworn, on oath says:  
that on the 27<sup>th</sup> day of July, 2012 at 10:15am he served  
the following:

Petitioners' Motion for Additional Time for  
Oral Argument and for Argument by Two Attorneys

on James S. Ballentine therein named, personally  
at 80 S 8th Street, Suite 5120,  
Minneapolis, county of Hennepin, State  
of Minnesota, by handing to and leaving with  
Afton Lewis, Receptionist, An expressly authorized  
agent for service

\_\_\_\_\_ a true and  
correct copy thereof.

Subscribed and Sworn to Before Me this



27 day of July, 2012

Angie Ziem  
- Asst. Clerk



MOHRMAN & KAARDAL, P.A.

ATTORNEYS AND COUNSELORS AT LAW

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SUITE 4100  
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ERICK G. KAARDAL

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WRITER'S E-MAIL: [KAARDAL@MKLAW.COM](mailto:KAARDAL@MKLAW.COM)

July 27, 2012

Via Messenger

Clerk of Court  
Supreme Court of Minnesota  
Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
Saint Paul, Minnesota 55155

OFFICE OF  
APPELLATE COURTS

JUL 27 2012

FILED *H*

Re: Consolidated Cases:  
*Warren Limmer, et al. vs. Mark Ritchie, Lori Swanson*  
Case No. A12-1149  
*Mary Kiffmeyer, et al. v. Mark Ritchie and Lori Swanson*  
Case No. A12-1258

Dear Clerk of Court:

Enclosed for filing in the above referenced matter are the original and three copies of the following:

1. Petitioners' Motion for Additional Time for Oral Argument and for Argument by Two Attorneys.

Because service is by personal service, affidavits of service will be filed by tomorrow. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



Erick G. Kaardal

EGK/mg  
Enclosures