

A12-0920

STATE OF MINNESOTA
IN SUPREME COURT

OFFICE OF
APPELLATE COURTS

JUN 08 2012

FILED

H

League of Women Voters
Minnesota; Common Cause, a
District of Columbia nonprofit
corporation; Jewish Community
Action; Gabriel Herbers; Shannon
Doty; Gretchen Nickence; John
Harper Ritten; and Kathryn Ibur

Petitioners,

vs.

**REQUEST OF THE HENNEPIN
COUNTY ATTORNEY'S OFFICE
FOR LEAVE TO PARTICIPATE AS
AMICUS CURIAE**

Mark Ritchie in his capacity
as Secretary of State of the
State of Minnesota, and not in his
individual capacity

Respondent.

TO: The Supreme Court of the State of Minnesota:

Pursuant to Minn. R. Civ. App. P. 129.01, the Hennepin County Attorney's Office hereby requests the Court for leave to participate as amicus curiae in the above-captioned matter. The applicant's interest is public in nature. The application is not filed in support of either party.

The Hennepin County Attorney's Office believes that an amicus brief is desirable because the Office represents the elections division of the largest county in the State of Minnesota. In that capacity, the Office has factual information that would be helpful to the Court regarding two areas. First, the Office and Hennepin

County officials will provide the Court with information, not contained in the applicable rules and statutes, regarding the process and practical time deadlines for producing ballots in Hennepin County that will be used in the 2012 General Election. Specifically, information related to when the ballots must be sent to the printer in order to be available for absentee voting. This information will assist the Court in determining when a decision in the matter would need to be rendered to allow elections officials to comply with any order with the least disruption to voters. Second, the Office will provide factual context to the identification application process that will assist the Court in determining the narrow ballot question issues presented in the petition.

For these reasons, the Hennepin County Attorney's Office respectfully requests an order granting it leave to participate as an amicus curiae and ordering that the amicus brief be filed no later than June 25, 2012, when the brief of Respondent is due in this matter.

DATED: June 8, 2012

Respectfully submitted,

MICHAEL O. FREEMAN
Hennepin County Attorney



By: DAVID C. BROWN
Senior Assistant County Attorney
Attorney License No. 18701X
C-2000 Government Center
Minneapolis, MN 55487
Telephone: (612) 348-4085
FAX: (612) 348-6028

JUN 08 2012

FILED

STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN)

AFFIDAVIT OF SERVICE

Maya Zook, being first duly sworn on oath, deposes and says:

That on the 1st day of June, 2012, she served the annexed Request of the Hennepin County Attorney's Office For Leave to Participate as Amicus Curiae, regarding State of Minnesota Supreme Court Appeal No. A12-0920, on each of the following by mailing to each of them a copy thereof, enclosed in an envelope, postage prepaid, and by depositing the same in the United States Mail in Minneapolis, MN, directed to them at their last known addresses, as follows:

Lori Swanson
Appeals Division
Minnesota Attorney General's Office
Suite 1800, Bremer Tower
445 Minnesota Street
St. Paul, MN 55101-2134

Mark Ritchie
Office of the Secretary of State
Retirement Systems of Minnesota Building
60 Empire Drive, Suite 100
St. Paul, MN 55103

William Z. Pentelovitch
Maslon, Edelman, Borman & Brand LLP
3300 Wells Fargo Center
90 S. Seventh Street
Minneapolis, MN 55402-4140

Teresa Nelson
American Civil Liberties Union of Minnesota
2300 Myrtle Avenue, Suite 180
St. Paul, MN 55114-1879

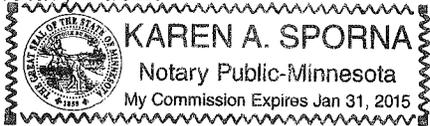
M. Laughlin McDonald
American Civil Liberties Union Foundation, Inc.
230 Peachtree Street, Suite 1440
Atlanta, GA 30303



Maya Zook

Subscribed and sworn to before me this
8th day of June, 2012.



Notary Public

KAREN A. SPORNA
Notary Public-Minnesota
My Commission Expires Jan 31, 2015