

STATE OF MINNESOTA  
IN SUPREME COURT

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Cullen Sheehan, Norm Coleman, Cara  
Beth Lindell, and John Doe,

Court File No. A08-2169

Petitioners,

vs.

**PROPOSED ORDER**

Mark Ritchie, Minnesota Secretary of  
State, the Minnesota State Canvassing  
Board, Isanti County Canvassing Board  
and Terry Treichel, Isanti County Auditor-  
Treasurer, individually and on behalf of all  
County and Local Election Officers and  
County Canvassing Boards,

Respondents.

Al Franken for Senate and Al Franken,

Intervenor-Respondents.

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Petitioner filed a Motion for Emergency Order on December 30, 2008. Based on  
the motion, the Affidavits, and all other records, filings and proceedings in this action,

IT IS HEREBY ORDERED THAT:

1. Petitioners' Motion is granted.
2. Local election officials from each county shall segregate and convey to the  
Secretary of State's Office each and every rejected absentee ballot envelope, together  
with the related applications and other necessary supporting documentation, that has been

identified—by Petitioners, Intervenor-Respondents or the responsible local election officials—as potentially improperly rejected.

3. The Secretary of State, together with representatives of the Petitioners and the Intervenor-Respondents, shall review such envelopes, applications and other necessary supporting documentation to enable each of them to determine whether they can agree that such ballots were in fact improperly rejected and should be opened and counted by the State Canvassing Board.

BY THE COURT:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Justice