

STATE OF MINNESOTA
IN SUPREME COURT

A09-64

Al Franken,

Petitioner,

vs.

Timothy Pawlenty, as Governor,
and Mark Ritchie, as Secretary of State,

Respondents.

ORDER

Petitioner Al Franken has filed a petition under Minn. Stat. § 204B.44 (2008) seeking an order of this court requiring respondents to prepare and countersign a certificate of election of petitioner to the United States Senate and to deliver the certificate to the President of the Senate, notwithstanding the election contest pending in Ramsey County District Court. Norm Coleman has moved to intervene.

Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. The motion of Norm Coleman to intervene as a respondent be, and the same is, granted.

2. Petitioner shall serve and file an opening brief not later than 4:30 p.m., Tuesday, January 20.

3. Respondents shall serve and file responsive briefs not later than 1:00 p.m., Monday, January 26.

4. Petitioner may serve and file a reply brief not later than 4:30 p.m., Wednesday, January 28.

5. Briefs shall be served and filed in the quantity and form prescribed in Minn. R. Civ. App. P. 131.03 and 132.01.

6. The court will hear argument on this matter commencing at 9:00 a.m., Thursday, February 5, 2009, in Courtroom 300, Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Boulevard, Saint Paul. One hour will be allotted for argument, one-half hour for petitioner and one-half hour for respondents.

Dated: January 14, 2009

BY THE COURT:

_____/s/_____

Alan C. Page
Associate Justice

MAGNUSON, C.J., and ANDERSON, G. Barry, J., took no part in the consideration or decision of this matter.