

STATE OF MINNESOTA

JAN 12 2010

IN SUPREME COURT

FILED

Deanna Brayton, Darlene Bullock,
Forough Mahabady, Debra Branley,
Marlene Griffin and Evelyn Bernhagen,
on behalf of themselves and all others
similarly situated,

**MOTION FOR EXPEDITED
CONSIDERATION OF
PETITION FOR
ACCELERATED REVIEW**

Respondents,

Trial Court Case No. 62-CV-09-11693

vs.

Appellate Court Case No. A10-64

Tim Pawlenty, Governor of the State
of Minnesota, Thomas Hanson,
Commissioner, Minnesota Department
of Management and Budget, Cal Ludeman,
Minnesota Department of Human Services,
and Ward Einess, Commissioner,
Minnesota Department of Revenue,

Petitioners.

Petitioners hereby move the Court for expedited consideration of their request for accelerated review of this appeal from the district court's judgment voiding the unallotment of \$5.33 million in funding this biennium for the Minnesota Supplemental Aid-Special Diet program. Respondents support this motion, just as they likewise support the petition for accelerated review and the corresponding motion for expedited review in this Court. The normal timeframe for determining whether to grant a petition for accelerated review is too long in this instance.

As explained in the petition, time is of the essence in this case because the district court's decision implicates the validity of other unallotments made by the executive branch to eliminate an approximate \$2.7 billion deficit in the State's budget for the

current biennium of July 1, 2009 to June 30, 2011. Moreover, an additional deficit of \$1.2 billion for the biennium was projected in the November 2009 Economic Forecast. Resolution of this appeal will assist the executive and legislative branches in addressing the ongoing State budget crisis. The legislative session begins February 4, 2010, and ends by May 17, 2010. The first year of the biennium ends June 30, 2010. Given its magnitude, the deficit in the State's biennial budget becomes increasingly difficult to resolve as time passes and less of the biennium remains.

Accordingly, Petitioners respectfully request that the Court expedite its determination whether to grant accelerated review of this appeal.

Dated: January 12, 2010

Respectfully submitted,

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Dated: January 12, 2010



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