

19

FILED
Court Administrator

NOV - 6 2009

By [Signature] Deputy

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT
OTHER CIVIL

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

Civil File No. 62-CV-09-11693
Chief Judge Kathleen R. Gearin

Plaintiffs,

vs.

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,

**NOTICE OF MOTION AND
MOTION FOR TEMPORARY
RESTRAINING ORDER**

Defendants.

NOTICE OF MOTION

TO: Tim Pawlenty, Governor of the State of Minnesota by and through his attorney Patrick Robben, 130 State Capitol, Saint Paul, Minnesota 55155, Thomas Hanson, Commissioner, Minnesota Department of Management and Budget, Cal Ludeman, Minnesota Department of Human Services, and Ward Einess, Commissioner, Minnesota Department of Revenue, by and through their attorney Alan Gilbert, Solicitor General for State of Minnesota, 445 Minnesota St., #1800, St. Paul, Minnesota 55101-2134.

PLEASE TAKE NOTICE that Plaintiffs, through their attorney Galen Robinson, Mid-Minnesota Legal Assistance, will bring the following Motion before the Honorable Kathleen R. Gearin, Chief Judge of Ramsey County District Court, Room 1210, Ramsey County Courthouse, 15 West Kellogg Blvd., St. Paul, Minnesota, at 10.00 a.m. on Monday, November 16, 2009, or as soon thereafter as counsel may be heard.

MOTION

Plaintiffs herein move this Court pursuant to Rule 65.01 of the Minnesota Rules of Civil Procedure for the entry of a temporary restraining order. Plaintiffs seek a temporary order

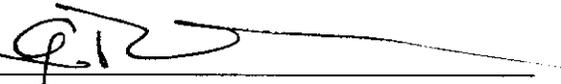
enjoining Defendants Governor and Commissioner of the Minnesota Department of Management and Budget from reducing allotments to the Minnesota Supplemental Aid Special Diet program and enjoining Defendant Commissioner of the Minnesota Department of Human Services from implementing the unallotment of the Minnesota Supplemental Aid Special Diet program. Plaintiffs further seek, after an evidentiary hearing, the entering of a preliminary and permanent injunction prohibiting Defendants from implementing the unallotment of the Minnesota Supplemental Aid Special Diet program.

Plaintiffs request that, due to their indigency, no bond or security be required.

As the basis for this motion, Plaintiffs submit their Complaint, together with their Memorandum in Support of the Motion for a Temporary Restraining Order, affidavits and documents attached thereto.

MID-MINNESOTA LEGAL
ASSISTANCE

Dated: November 6, 2009

BY 
Galen Robinson
Attorney No. 165980
David Gassoway
Attorney No. 389526
430 First Avenue North Suite 300
Minneapolis, MN 55401
(612) 332-1441

Ralonda J. Mason
Attorney No. 194487
830 W. St. Germain Suite 300
PO Box 886
Saint Cloud, MN 56302
(320) 253-0121

Attorneys for Plaintiffs