

FILED
Court Administrator

FEB -10 2009

By UX Deputy

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT

In the Matter of the Contest of General Election
held on November 4, 2008, for the purpose of
electing a United States Senator for the State of
Minnesota

District Court File No. 62-CV-09-56

Cullen Sheehan and Norm Coleman,

Contestants,

vs.

Al Franken,

Contestees,

**NUNC PRO TUNC ORDER
CORRECTING
ORDER GRANTING IN PART AND
DENYING IN PART PETITIONERS'
MOTION FOR SUMMARY
JUDGMENT**

Dennis Peterson, et. al.,

Petitioners,

vs.

Mark Ritchie, Minnesota Secretary of State, et. al.,

Respondents.

Supreme Court File No. A09-65

This Court issued an Order Granting in Part and Denying in Part Petitioners' Motion for Summary Judgment (the "Order"). The Court has learned that there are two typographical errors in the Order and accordingly issues the following ORDER NUNC PRO TUNC

1. The following paragraph is stricken from the Court's Order:
 - John Robertus of Ramsey County (Nauen Aff. Exs. 57-A – 57-D (evidence presented that the voter presented proper proof of residence in accordance with Minn. Stat. § 201.161 at the time he submitted his absentee ballot);

and replaced by the following paragraph:

- John Robertus of Ramsey County (Nauen Aff. Exs. 57-A – 57-D (no evidence presented that the voter presented proper proof of residence in accordance with Minn. Stat. § 201.161 at the time he submitted his absentee ballot);

2. The third sentence of the first complete paragraph on page 8 of the Order is stricken and replaced by the following sentence:

In addition, this Rule goes on to provide that "[w]hen an absent voter hand delivers an envelope which is unsealed or has an improperly completed absent voter's certificate, the absent voter shall be allowed to seal the envelope and correct or complete the certificate." *Id.*

3. No other substitutions or amendments to the Order are made by this Order Nunc

Pro Tunc.

Dated: 3/10/09

Elizabeth A. Hayden
Elizabeth A. Hayden
Judge, District Court

Dated: 2-10-09

Kurt J. Marben
Kurt J. Marben
Judge, District Court

Dated: 2/10/09

Denise D. Reilly
Denise D. Reilly
Judge, District Court