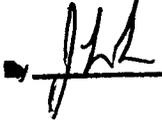


SEP 03 2008

STATE OF MINNESOTA
COUNTY OF RAMSEY

By  Deputy

DISTRICT COURT
SECOND JUDICIAL DISTRICT

Nathan Block, Alexander Lundberg, ,
Vincent Collura, Celia Kutz,
Andrew Salstrom, et al.

Plaintiffs,

Court File No. 62-CV-08-8784

vs.

ORDER

Robert Fletcher, County of Ramsey,
City of Saint Paul, City of Minneapolis,
Ramsey County Sheriff, et al.

Defendants.

The above-entitled matter came on for hearing before the Honorable Kathleen Gearin on September 1 and September 2, 2008.

Albert Goins, Esq., Rick L. Petry, Esq., Teresa Nelson, Esq. and Geneva Finn appeared on behalf of Plaintiffs. Heidi Westby, Esq., Phil Carruthers, Esq., and Darwin Lookingbill, Esq., Assistant Ramsey County Attorneys, appeared on behalf of Defendant.

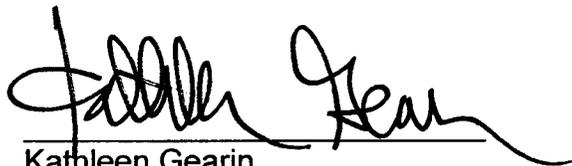
Based upon the files, submissions of the parties, arguments of counsel and proceedings herein, the Court makes the following:

ORDER

1. Plaintiffs' Motion for Return for Property is **DENIED** in its entirety.
2. The Plaintiffs are ordered to return the disputed copies given to them by the County Attorney's Office yesterday if requested to do so by either the Sheriff or the County Attorney.
3. The attached Memorandum is made part of this Order.
4. Copies of this Order will be mailed by the Court to counsel as soon as it is filed.

Dated:

9-3-08



Kathleen Gearin
Chief Judge of District Court

MEMORANDUM

Court File No: 62-CV-08-8784

On an emergency basis, the Court heard a motion by Plaintiffs to return certain items that had been seized pursuant to search warrants signed by Judges Wernick and Smith. The first part of this hearing was held on Labor Day in part because of the Court's concern based upon a review of the Complaint received on Labor Day morning that the arguments of Plaintiffs involved a freedom of speech issue. The matter was continued to September 2nd and certain items were submitted to the Court for further review. Further submissions were received on the morning of September 2nd and the hearing began at 10:30 a.m. on that date. This hearing is taking place during the Republican National Convention when the legal system is dealing with multiple issues in connection with that assembly. Because of other duties, the Court will not have time to write a complete memorandum or analysis of the reasoning behind its decision. The decision was based upon a review of the materials submitted by both sides, the arguments of counsel, the Court's review of some of the cases cited by Plaintiffs' counsel, and upon the probable cause for detention statement that resulted in the seizure and retention of the property by the Ramsey County Sheriff's Department. The concerns of the Court were expressed in open court and if there's an emergency appeal, the parties will have to obtain a transcript of that hearing because there's just not time to cogently, according to the standards district court would like to use, finish the memorandum this week.



KG