

STATE OF MINNESOTA

IN SUPREME COURT

SUPREME COURT CALENDAR
November 2007

Court convenes at 9:00 a.m.

Please note the following time allotments

for oral argument:

unless otherwise ordered by the Court

appellants are limited to 35 minutes and
respondents are limited to 25 minutes.

COURT CONVENES AT 9:00 A.M.

Attorneys in all cases scheduled for oral argument must check in with the Marshal in the courtroom no later than 8:40 a.m. Counsel should be present and be prepared to begin whenever their case is called.

Chief Justice Russell A. Anderson

Justice Alan C. Page

Justice Paul H. Anderson

Justice Helen M. Meyer

Justice Sam Hanson

Justice G. Barry Anderson

Justice Lorie S. Gildea

En Banc Oral

	<u>Case Number</u>	<u>Date</u>	<u>Location</u>
Auto Owners Insurance Company v. Perry	A06-1235	11/5/07	Judicial Center, Courtroom 300
Dunn v. National Beverage Corp.	A06-396 A06-397	10/29/07	State Capitol Building, Second Floor
HealthEast and University of MN Physicians v. County of Ramsey	A07-1086	11/05/07	Judicial Center, Courtroom 300
Hebert v. City of Fifty Lakes	A06-215	10/31/07	State Capitol Building, Second Floor
In re Estate of: Francis E. Barg a/k/a Francis Edward Barg	A05-2346	11/06/07	Judicial Center, Courtroom 300
Rechtfertig v. Special Compensation Fund	A07-1306	11/01/07	State Capitol Building, Second Floor
State v. Cottew	A06-785	10/30/07	State Capitol Building, Second Floor
State v. Ferguson Ferguson v. State	A06-498 A07-1125	10/29/07	State Capitol Building, Second Floor
State v. Goelz	A06-2424	10/31/07	State Capitol Building, Second Floor
State v. Mohs	A06-199	10/30/07	State Capitol Building, Second Floor
State v. Timberlake	A06-72	11/06/07	Judicial Center, Courtroom 300

Nonoral

Hathaway v. State	A07-1188	11/01/07
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Administrative Hearing

Rules of Public Access to Records of the Judicial Branch	11/13/07 2:00 P.M.	Judicial Center. Courtroom 300
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SUPREME COURT COURTROOM, STATE CAPITOL

Monday, October 29, 2007

En Banc Oral

State of Minnesota,
Respondent,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

Michael O. Freeman
Hennepin County Attorney
Linda K. Jenny
Assistant Hennepin County Attorney
C-2000 Government Center
Minneapolis, Minnesota 55487

vs. A06-498

Jermaine Ferguson,
Appellant.

Office of the Minnesota State Public Defender
Charles F. Clippert
Special Assistant State Public Defender
Bethel & Associates, P.A.
2677 County Road 10
Mounds View, Minnesota 55112

and

Jermaine Ferguson, petitioner,
Appellant,

vs. A07-1125

State of Minnesota,
Respondent.

Judgment Hennepin County
Order Hennepin County

[summary of issues](#)

(Monday, October 29, 2007 continued on next page)

(Monday, October 29, 2007 continued)

Susan Dunn, et al.,
Appellants,

Phillip R. Krass
Benjamin J. Court
Krass Monroe, P.A.
8000 Norman Center Drive – Suite 1000
Minneapolis, Minnesota 55437

vs. A06-396 and A06-397

National Beverage Corp., a Delaware
corporation, et al.,
Respondents,

John Edward Connelly
Elizabeth Shields Keating
Faegre & Benson, LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55042

DTM Distributing, Inc.,
Defendant.

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0704/opa060396-0403.htm>

[summary of issues](#)

SUPREME COURT COURTROOM, STATE CAPITOL

Tuesday, October 30, 2007

En Banc Oral

State of Minnesota,
Respondent,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

Robert M.A. Johnson
Anoka County Attorney
Marcy S. Crain
Assistant Anoka County Attorney
Anoka County Government Center
2100 Third Avenue, 7th Floor
Anoka, Minnesota 55303

vs. A06-199

Jeffrey David Mohs,
Appellant.

Stephen V. Grigsby
2915 South Wayzata Boulevard – Suite 101
Minneapolis, Minnesota 55405

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0701/opa060199-0130.htm>

[summary of issues](#)

State of Minnesota,
Respondent,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

James P. Ratz
Aitkin County Attorney
Benjamin M. Smith
Assistant Aitkin County Attorney
217 Second Street N.W.
Aitkin, Minnesota 56431

vs. A06-785

Toyie Diane Cottew,
Appellant.

Samuel A. McCloud
Carson J. Heefner
McCloud & Boedigheimer, P.A.
Suite 1000 – Circle K – Box 216
Shakopee, Minnesota 55379

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0703/opa060785-0320.htm>

[summary of issues](#)

SUPREME COURT COURTROOM, STATE CAPITOL

Wednesday, October 31, 2007

En Banc Oral

State of Minnesota,
Respondent,

Lori Swanson
Minnesota Attorney General
Peter R. Marker
Assistant Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

David J. Torgelson
Renville County Attorney
800 E. Depue Avenue
Olivia, Minnesota 56277

vs. A06-2424

Dirk Lionel Goelz,
Appellant.

David J. Risk
Joseph P. Tamburino
Caplan Law Firm, P.A.
525 Lumber Exchange Building
10 South Fifth Street
St. Paul, Minnesota 55402

Judgment Renville County

[summary of issues](#)

John Wesley Hebert, et al.,
Respondents,

Scott M. Lucas
Matthew J. Pfohl
Olson and Lucas, P.A.
One Corporate Center I – Suite 575
7401 Metro Boulevard
Edina, Minnesota 55439

vs. A06-215

City of Fifty Lakes,
Appellant.

Paul D. Reuvers
Pamela J. Whitmore
Iverson Reuvers
9321 Ensign Avenue South
Bloomington, Minnesota 55438

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0702/opa060215-0227.htm>

[summary of issues](#)

SUPREME COURT COURTROOM, STATE CAPITOL

Thursday, November 1, 2007

En Banc Oral

Joshua Rechtfertig,

Relator,

Donald C. Erickson

Fryberger, Buchanan, Smith & Frederick, P.A.

302 West Superior Street – Suite 700

Duluth, Minnesota 55802

vs. A07-1306

Michael Spiering, Uninsured,

Respondent,

and

St. Mary's Duluth Clinic Health System,

JC Christensen/Radiological Associates,

Intervenors,

and

Special Compensation Fund,

Respondent.

Lori Swanson

Minnesota Attorney General

Rory H. Foley

Assistant Attorney General

445 Minnesota Street – Suite 900

St. Paul, Minnesota 55101-2127

Workers Compensation Court of Appeals

[summary of issues](#)

Nonoral

Guy James Hathaway, petitioner,
Appellant,

Guy James Hathaway

OID # 110846

MCF – Stillwater

970 Pickett Street

Bayport, Minnesota 55003-1490

vs. A07-1188

State of Minnesota,

Respondent.

Lori Swanson

Minnesota Attorney General

445 Minnesota Street – Suite 1800

St. Paul, Minnesota 55101-2134

Susan Gaertner

Ramsey County Attorney

Mark Nathan Lystig

Assistant Ramsey County Attorney

50 West Kellogg Boulevard – Suite 315

St. Paul, Minnesota 55102

Order Ramsey County

[summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Monday, November 5, 2007

En Banc Oral

Auto Owners Insurance Company,
Respondent,

Judith Mlinar Seeberger
Redding & Pilney, PLLP
8661 Eagle Point Boulevard
Lake Elmo, Minnesota 55042

vs. A06-1235

Chong Suk Perry,
Appellant.

Michael A. Bryant
1505 Division Street
Waite Park, Minnesota 56387

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0704/opa061235-0417.htm>

[summary of issues](#)

HealthEast,
Relator,

J. Patrick Plunkett
John G. Patterson
Martin D. Kappenman
Moore, Costello & Hart, PLLP
900 Second Avenue South – Suite 1500
Minneapolis, Minnesota 55402-5079

and

University of Minnesota Physicians,
intervenor,
Relator,

Michael C. Flom
Gray, Plant, Mooty, Mooty & Bennett, P.A.
500 IDS Center
80 South Eighth Street
Minneapolis, Minnesota 55402

vs. A07-1086

County of Ramsey,
Respondent.

Susan Gaertner
Ramsey County Attorney
Darwin J. Lookingbill
Civil Division Director
50 West Kellogg Boulevard – Suite 560
St. Paul, Minnesota 55102

Tax Court

[summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Tuesday, November 6, 2007

En Banc Oral

In re the Estate of: Francis E. Barg,
a/k/a Francis Edward Barg.

Case No. A05-2346

Janice S. Kolb
Mille Lacs County Attorney
Dawn R. Nyhus
Assistant Mille Lacs County Attorney
Courthouse Square
525 2nd Street Southeast
Milaca, Minnesota 56353

Thomas J. Meinz
107 Sixth Avenue South
Princeton, Minnesota 55371

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0610/opa052346-1017.htm>

[summary of issues](#)

State of Minnesota,

Appellant,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

Susan Gaertner
Ramsey County Attorney
Mark Nathan Lystig
Assistant Ramsey County Attorney
50 West Kellogg Boulevard – Suite 315
St. Paul, Minnesota 55102

vs. A06-72

Tavon Tarrell Timberlake,
Respondent.

Office of the Minnesota State Public Defender
Susan Andrews
Assistant State Public Defender
2221 University Avenue S.E. – Suite 425
Minneapolis, Minnesota 55414

Order Ramsey County

[summary of issues](#)

ADMINISTRATIVE HEARING

November 13, 2007

2:00 p.m.

Courtroom 300, Minnesota Judicial Center

Hearing on proposed amendments to the Rules of Public Access to Records of the Judicial Branch.

(See Order filed September 17, 2007.)