

STATE OF MINNESOTA  
IN SUPREME COURT

70-CV-08-5027

A08-120

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OFFICE OF APPELLATE COURTS

SCOTT COUNTY COURTS

FEB 14 2008

In re Parish Marketing and Development Corporation Mechanic's Lien Foreclosure Litigation

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ORDER

SCOTT COUNTY COURTS

Phase Electric, Incorporated, Elfering Bros. Construction, Inc., Angell Aire, Inc., Simon Brick & Stone Co. a/k/a Jaeckels & Simon Masonry, Inc., and T&C Mechanical, LLC (movants) have filed a motion under Minn. R. Gen. Prac. 113.03 for assignment of 49 cases (listed in the Addendum), now pending in two different judicial districts, to a single judge for purposes of discovery, pretrial motions, and alternative dispute resolution. Movants are each plaintiffs in one or more of the pending cases. They state that all of the actions collectively involve the same parties and preliminary legal issues. In addition, movants state that assignment of these cases to a single judge will help to conserve the assets of Parish Marketing and Development Corporation, which is a defendant in each of the 49 cases and whose assets have been placed in receivership. Movants state that four of the named defendants have consented to assignment of the cases to a single judge. The court received no opposition to the motion.

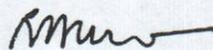
The interest of the parties and the judiciary will be furthered by assignment of the 49 pending cases, and any similar cases brought in the future, to a single judge, to eliminate duplicative litigation in different districts; prevent inconsistent rulings,

conserve the resources of the parties, their counsel and the judiciary, and facilitate resolution of the cases. A decision regarding consolidation of the cases for disposition on motion or at trial is left to the discretion of the assigned judge.

Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED that, pursuant to Minn. Stat. §§ 480.16 and 2.724 (2006) and Minn. R. Gen. Prac. 113.03, the Honorable Jerome Abrams of the First Judicial District, having consented, is appointed to hear and decide all matters, including pretrial and trial proceedings, in the cases involving mechanic's lien foreclosures against homes built or marketed by Parish Marketing and Development Corporation currently pending in the Minnesota state district courts and any similar actions that may be filed in Minnesota state courts in the future. To facilitate the identification and management of these cases, all documents served and filed in such cases after the date of entry of this order shall, in addition to the individual case title and file number, bear the general case caption "In re Parish Marketing and Development Corporation Mechanic's Lien Foreclosure Litigation."

Dated: February 14, 2008



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Russell A. Anderson  
Chief Justice

## ADDENDUM OF PENDING CASES

### **In Rice County, Third Judicial District:**

*Angell Aire, Inc., et al. vs. Parish Marketing and Development Corporation, et al.,*  
Court File No. 66-CV-07-4399

*Angell Aire, Inc., et al. vs. Parish Marketing and Development Corporation, et al.,*  
Court File No. 66-CV-07-4400

*Elfering Bros. Construction, Inc., et al. vs. Parish Marketing and Development*  
*Corporation, et al.,* Court File No. 66-CV-07-4401

*Elfering Bros. Construction, Inc., et al. vs. Parish Marketing and Development*  
*Corporation, et al.,* Court File No. 66-CV-07-4402

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation,*  
*et al.,* Court File No. 66-CV-07-4395

*Phase Electric Incorporated, et al. vs. Parish Marketing and Development Corporation,*  
*et al.,* Court File No. 66-CV-4396

*Phase Electric Incorporated, et al. vs. Parish Marketing and Development Corporation,*  
*et al.,* Court File No. 66-CV-07-4397

*Phase Electric Incorporated, et al. vs. Parish Marketing and Development Corporation,*  
*et al.,* Court File No. 66-CV-07-4398

### **In Scott County, First Judicial District:**

*Phase Electric Incorporated and Angell Aire, Inc. vs. Parish Marketing and Development*  
*Corporation, et al.,* Court File No. 70-CV-07-29632

*Phase Electric Incorporated and Angell Aire, Inc. vs. Parish Marketing and Development*  
*Corporation, et al.,* Court File No. 70-CV-07-29820

*Phase Electric Incorporated and Angell Aire, Inc. vs. Parish Marketing and Development*  
*Corporation, et al.,* Court File No. 70-CV-07-29849

*Phase Electric, Incorporated and Simon Brick & Stone Co. a/k/a Jaeckels & Simon Masonry, Inc. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-29800*

*Phase Electric Incorporated and T&C Mechanical, LLC v. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-30191*

*Phase Electric Incorporated and T&C Mechanical, LLC vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-30210*

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-29591*

*Phase Electric Incorporated, et al. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-29619*

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-29630*

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-29777*

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-29788*

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-29790*

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-29809*

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-29838*

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-29846*

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-30179*

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al., Court File No. 70-CV-07-30196*

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-30215

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-30219

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-30221

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-30227

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-30229

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-30231

*Phase Electric, Incorporated, et al. vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-30234

*Simon Brick & Stone Co., a/k/a Jaeckels & Simon Masonry, Inc. v. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-29842

*Simon Brick & Stone Co., a/k/a Jaeckels & Simon Masonry, Inc. vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-30188

*Simon Brick & Stone Co., a/k/a Jaeckels & Simon Masonry, Inc. vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-30232

*T&C Mechanical, LLC vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-29606

*T&C Mechanical, LLC vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-29610

*T&C Mechanical, LLC vs. Parish Marketing and Development Corporation, et al.*, Court File No. 70-CV-07-30217

**In LeSueur County, First Judicial District**

*Phase Electric Incorporated vs. Parish Marketing and Development Corporation, et al.,*  
Court File No. 40-CV-07-1240

*Phase Electric Incorporated and Angell Aire, Inc. vs. Parish Marketing and Development Corporation, et al.,* Court File No. 40-CV-07-1236

*Phase Electric Incorporated and Angell Aire, Inc. vs. Parish Marketing and Development Corporation, et al.,* Court File No. 40-CV-07-1237

*Phase Electric, Incorporated and Simon Brick & Stone Co. a/k/a Jaeckels & Simon Masonry, Inc. vs. Parish Marketing and Development Corporation, et al.,* Court File No. 40-CV-07-1224

*Phase Electric, Incorporated and T&C Mechanical, LLC vs. Parish Marketing and Development Corporation, et al.,* Court File No. 40-CV-07-1232

*Phase Electric, Inc., et al. vs. Parish Marketing and Development Corporation, et al.,*  
Court File No. 40-CV-07-1222

*Phase Electric, Incorporated vs. Parish Marketing and Development Corporation, et al.,*  
Court File No. 40-CV-07-1233

*Phase Electric, Incorporated v. Parish Marketing and Development Corporation, et al.,*  
Court File No. 40-CV-07-1234

*Phase Electric Incorporated, et al. vs. Parish Marketing and Development Corporation, et al.,* Court File No. 40-CV-07-1241

*Simon Brick & Stone Co., a/k/a Jaeckels & Simon Masonry, Inc. and T&C Mechanical, LLC vs. Parish Marketing and Development Corporation, et al.,* Court File No. 40-CV-07-1238

*T&C Mechanical, LLC vs. Parish Marketing and Development Corporation, et al.,*  
Court File No. 40-CV-07-1239