

**STATE OF MINNESOTA
IN SUPREME COURT**

**SUPREME COURT CALENDAR
OCTOBER 2015**

**Court convenes at 9:00 a.m.
(unless otherwise noted)**

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.
(unless otherwise noted)

NOTE: Attorneys who will be arguing cases on this calendar should complete and return the argument appearance form attached at the end of this calendar.

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 Lorie S. Gildea
Justice G. Barry Anderson
Justice Christopher J. Dietzen
Justice David R. Stras
Justice Wilhelmina M. Wright
Justice David L. Lillehaug
Justice Natalie E. Hudson

En Banc Oral

	<u>Case Number</u>	<u>Date</u>	<u>Location</u>
Binkley, Trustee on behalf of the heirs and next of kin of Kirk T. Lloyd, II v. Allina Health System, et al.	A14-0794	10/6/15	William Mitchell College of Law Room 245 – 6:30 p.m.
Dennis v. The Salvation Army and Chesterfield Services, Inc.	A15-0715	10/8/15	Duluth Denfeld High School 9:00 a.m.
In re Discipline of Huff.	A14-0024	10/14/15	Judicial Center, Courtroom 300
J.D. Donovan, Inc., et al. v. Minnesota Department of Transportation, et al.	A14-0863, A14-1021	10/5/15	Judicial Center, Courtroom 300
Rhodes v. State	A13-0560, A15-0136	10/5/15	Judicial Center, Courtroom 300
Sprinkler Warehouse, Inc. v. Systematic Rain, Inc., d/b/a GPLAWN.com, et al.	A14-1121	10/12/15	Judicial Center, Courtroom 300
State v. Horst	A14-1464	10/7/15	Judicial Center, Courtroom 300
State v. Huber	A13-1928	10/7/15	Judicial Center, Courtroom 300
State v. Roberts	A14-2039	10/13/15	Judicial Center, Courtroom 300
Wilcox, et al. v. State Farm Fire and Casualty Company	A15-0724	10/12/15	Judicial Center, Courtroom 300

Nonoral

McKenzie v. State	A14-1395	10/13/15	
Whitson v. State	C5-02-2108, A04-0875	10/14/15	

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Monday, October 5, 2015

En Banc Oral

J. D. Donovan, Inc., et al.,
Appellants,

Thomas R. Revnew
Tara Craft Adams
Seaton Peters and Revnew, PA
7300 Metro Boulevard – Suite 500
Minneapolis, Minnesota 55439

vs. A14-0863, A14-1021

Minnesota Department of
Transportation, et al.,
Respondents.

Lori Swanson
Minnesota Attorney General
Mathew Ferche
Assistant Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

Opinion Court of Appeals

<http://mn.gov/lawlib/archive/ctapun/2015/opa140863-020215.pdf>

[Summary of issues](#)

Thomas Daniel Rhodes, petitioner,
Appellant,

David T. Schultz
Jesse D. Mondry
Maslon, LLP
3300 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402

Julie Jonas
Marie Wolf
Innocence Project of Minnesota
1600 Utica Avenue – Suite 140
Saint Louis Park, Minnesota 55416

vs. A13-0560, A15-0136

State of Minnesota,
Respondent.

Lori Swanson
Minnesota Attorney General
Matthew Frank
Assistant Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

Shane Baker
Kandiyohi County Attorney
415 Southwest Sixth Street
Post Office Box 1126
Willmar, Minnesota 56201

Order Kandiyohi County

[Summary of issues](#)

WILLIAM MITCHELL COLLEGE OF LAW – ROOM 245 – 6:30 P.M.

Tuesday, October 6, 2015

En Banc Oral

Melinda M. Binkley, Trustee on behalf
of the heirs and next of kin of Kirk T.
Lloyd, II,

Appellant,

Patrick Stoneking
Robins Kaplan, LLP
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, Minnesota 55402

David E. Wandling
Wandling Law Group, PC
5101 Thimsen Avenue – Suite 200
Minnetonka, Minnesota 55345

vs. A14-0794

Allina Health System, et al.,
Respondents.

Rebecca Egge Moos
Charles E. Lundberg
Jessica L. Klander
Bassford Remele, PA
33 South Sixth Street – Suite 3800
Minneapolis, Minnesota 55402

Opinion Court of Appeals

<http://mn.gov/lib/archive/ctappub/2015/opa140794-020915.pdf>

[Summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Wednesday, October 7, 2015

En Banc Oral

State of Minnesota,

Respondent,

Lori Swanson
Minnesota Attorney General
James B. Early
Assistant Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

Shane Baker
Kandiyohi County Attorney
415 Southwest Sixth Street
Post Office Box 1126
Willmar, Minnesota 56201

vs. A13-1928

Timothy John Huber,

Appellant.

Julie Loftus Nelson
Assistant State Public Defender
Office of the Minnesota State Public Defender
540 Fairview Avenue North – Suite 300
Saint Paul, Minnesota 55104

Opinion Court of Appeals

<http://mn.gov/lib/archive/ctapun/2014/opa131928-120814.pdf>

[Summary of issues](#)

State of Minnesota,

Respondent,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

John J. Choi
Ramsey County Attorney
Kaarin Long
Assistant County Attorney
345 Wabasha Street North – Suite 120
Saint Paul, Minnesota 55102

vs. A14-1464

Heather Leann Horst,

Appellant.

Deborah Ellis
Susan L. Johnson
Ellis Law Office
101 East Fifth Street – Suite 2626
Saint Paul, Minnesota 55101

Judgment Ramsey County

[Summary of issues](#)

DULUTH DENFELD HIGH SCHOOL – 9:00 A.M.

Thursday, October 8, 2015

En Banc Oral

Kelly Dennis,

Respondent,

James A. Batchelor

Batchelor Law Firm, PA

333 Washington Avenue North – Suite 300

Minneapolis, Minnesota 55401

vs. A15-0715

The Salvation Army and Chesterfield
Services, Inc.,

Relators,

Mark A. Kleinschmidt

Thomas F. Coleman

Cousineau McGuire, Chartered

1550 Utica Avenue South – Suite 600

Minneapolis, Minnesota 55416

and

HealthEast Physician Services,
HealthEast St. John's Hospital,
High Pointe Surgery Center,
Minnesota Department of Human
Services/BRS, St. Croix Orthopaedics,
and Nurse Anesthesia Services, P.A.,
Intervenors.

Workers' Compensation Court of Appeals

[Summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Monday, October 12, 2015

En Banc Oral

Sprinkler Warehouse, Inc.,
Respondent,

Clarence J. Kuhn
The Kuhn Law Firm, PLLC
5200 Willson Road – Suite 150
Edina, Minnesota 55424

vs. A14-1121

Systematic Rain, Inc., d/b/a
GPLAWN.com, et al.,
Appellants.

Bryan R. Battina
William K. Forbes
Trepanier MacGillis Battina, PA
8000 Flour Exchange Building
310 Fourth Avenue South
Minneapolis, Minnesota 55415

Opinion Court of Appeals

<http://mn.gov/lawlib/archive/ctappub/2015/opa141121-020215.pdf>

[Summary of issues](#)

Brent R. Wilcox, et al.,
Plaintiffs/Appellants,

T. Joseph Snodgrass
Shawn M. Raiter
Paula Duggan Vraa
Kelly A. Lelo
Larson King, LLP
2800 Wells Fargo Place
30 East Seventh Street
Saint Paul, Minnesota 55101

vs. A15-0724

State Farm Fire and Casualty Company,
Defendant/Respondent.

Todd A. Noteboom
W. Anders Folk
Jeffrey G. Mason
Stinson Leonard Street, LLP
150 South Fifth Street – Suite 2300
Minneapolis, Minnesota 55402

Certified Question U.S. District Court

[Summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Tuesday, October 13, 2015

En Banc Oral

State of Minnesota,

Respondent,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

Michael O. Freeman
Hennepin County Attorney
Jean Burdorf
Assistant County Attorney
C-2000 Government Center
Minneapolis, Minnesota 55487

vs. A14-2039

Ishmael Roberts,

Appellant.

Jessica Merz Godes
Assistant Public Defender
Office of the Minnesota State Public Defender
540 Fairview Avenue North – Suite 300
Saint Paul, Minnesota 55104

Judgment Hennepin County

[Summary of issues](#)

Nonoral

Rene Julian McKenzie, petitioner,
Appellant,

Rene Julian McKenzie
OID # 169631
Minnesota Correctional Facility – Rush City
7600 – 525th Street
Rush City, Minnesota 55069

vs. A14-1395

State of Minnesota,

Respondent.

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

Michael O. Freeman
Hennepin County Attorney
Jean Burdorf
Assistant County Attorney
C-2000 Government Center
Minneapolis, Minnesota 55487

Order Hennepin County

[Summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Wednesday, October 14, 2015

En Banc Oral

In re Petition for Disciplinary Action
against Robert Andrew Huff, a
Minnesota Attorney, Registration
No. 283502.

Case No. A14-0024

Martin A. Cole, Director
Timothy M. Burke
Senior Assistant Director
Office of Lawyers Professional Responsibility
1500 Landmark Towers
345 Saint Peter Street
Saint Paul, Minnesota 55102

Robert Andrew Huff
3105 North Ashland – Suite 320
Chicago, Illinois 60657

Petition for Discipline

[Summary of issues](#)

Nonoral

Vidale L. Whitson, petitioner,
Appellant,

Vidale L. Whitson
OID # 154856
Minnesota Correctional Facility – Stillwater
970 Pickett Street North
Bayport, Minnesota 55003

vs. C5-02-2108, A04-0875

State of Minnesota,
Respondent.

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

Mark S. Rubin
Saint Louis County Attorney
Gary W. Borklund
Assistant County Attorney
100 North Fifth Avenue West – Suite 501
Duluth, Minnesota 55802

Order St. Louis County

[Summary of issues](#)

NOTICE

**COUNSEL ARGUING CASES THIS MONTH
MUST COMPLETE THIS FORM AND
IMMEDIATELY RETURN TO:**

**Supreme Court Marshal
305 Minnesota Judicial Center
25 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul MN 55155**

Case Title: _____

Case Number: _____

_____ representing _____

will argue this case before the Minnesota Supreme Court on _____.

Signed: _____

Phone number: _____

If you have an after-hours emergency related to an upcoming oral argument, please call or text 651-274-1840 to contact the Supreme Court Marshal.

Note: The Minnesota Judicial Branch is committed to providing all people with equal access to the courts. To this end, the Judicial Branch strives to make reasonable accommodations for court users with disabilities consistent with the requirements of the Americans with Disabilities Act (ADA) and Minnesota State Statute 363A.11.

If you or your client will be attending oral argument, have a disability, and anticipate needing an accommodation, please complete an [ADA Accommodation Request form \(PDF form\)](#) and submit it to kim.ghilardi@courts.state.mn.us