

**STATE OF MINNESOTA
IN SUPREME COURT**

**SUPREME COURT CALENDAR
March 2019**

Amended 3-05-19

**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 scheduled 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 to which the case is assigned (Capitol or Judicial Center) 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 David L. Lillehaug
Justice Natalie E. Hudson
Justice Margaret H. Chutich
Justice Anne K. McKeig
Justice Paul C. Thissen

En Banc Oral

	<u>Case Number</u>	<u>Date</u>	<u>Location</u>
Alby v. BNSF Railway Company	A17-1242	3/04/19	State Capitol Building Second Floor
In the Matter of Minnesota Living Assistance, Inc., d/b/a Baywood Home Care	A17-1821	3/05/19	State Capitol Building Second Floor
In the Matter of the Application of Otter Tail Power Company	A17-1300	3/11/19	Judicial Center, Courtroom 300
Kedrowski v. Lycoming Engines	A17-0538	3/05/19	State Capitol Building Second Floor
State v. Alarcon, Jr.	A17-1325	3/04/19	State Capitol Building Second Floor
State v. Hall	A17-0710	3/07/19	St. Thomas Law School 10:00 a.m.
State v. Harvey	A18-0205	3/06/19	State Capitol Building Second Floor
State v. Roy	A18-0326	3/12/19	Judicial Center, Courtroom 300
State v. Smith	A18-0607	3/13/19	Judicial Center, Courtroom 300

Nonoral

In re Disciplinary Action Against Lori J. Sklar	A18-1330	3/06/19	
In re Disciplinary Action Against Wendy Alison Nora	A18-1574	3/12/19	
Wal-Mart Real Estate Business Trust v. County of Anoka	A18-1678 A18-1679 A18-1681	3/11/19	

Administrative Hearings

Proposed Amendments to Minnesota Rules of Evidence	ADM10-8047	3/27/19	State Capitol Building Second Floor 10:00 a.m.
Proposed Amendments to Minnesota Rules of Criminal Procedure	ADM10-8049	3/27/19	State Capitol Building Second Floor 11:00 a.m.

**STATE CAPITOL
SUPREME COURT COURTROOM, SECOND FLOOR**

Monday, March 4, 2019

En Banc Oral

James Alby,

Appellant,

Mark R. Bradford
Amie E. Penny Saylor
Lauren F. Schoeberl
Bassford Remele, P.A.
100 South Fifth Street – Suite 1500
Minneapolis, Minnesota 55402

Paula M. Jossart
Jossart Law Office, LLC
200 West Highway 13 – Suite 110
Burnsville, Minnesota 55337

vs. A17-1242

BNSF Railway Company,

Respondent.

Sam Hanson
Timothy R. Thornton
Leah Cee O. Boomsma
Briggs and Morgan, P.A.
80 South Eighth Street – 2200
Minneapolis, Minnesota 55402

Patrick Sweeney
Sweeney Law Firm, P.A.
332 Minnesota Street – Suite W-1410
Saint Paul, Minnesota 55101

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa171242-080618.pdf>

[Summary of issues](#)

State of Minnesota,

Respondent,

Keith Ellison
Minnesota Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

David Walker
Freeborn County Attorney
411 South Broadway
Albert Lea, Minnesota 56007

vs. A17-1325

Jose Alarcon, Jr.,

Appellant.

Cathryn Middlebrook
Chief Appellate Public Defender
Julie Loftus Nelson
Assistant State Public Defender
540 Fairview Avenue North – Suite 300
Saint Paul, Minnesota 55104

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctapun/2018/OPa171325-072318.pdf>

[Summary of issues](#)

**STATE CAPITOL
SUPREME COURT COURTROOM, SECOND FLOOR**

Tuesday, March 5, 2019

En Banc Oral

Mark Kedrowski,

Appellant,

Eric J. Magnuson
Lisa L. Beane
Kelvin D. Collado
Robins Kaplan LLP
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, Minnesota 55402

Thomas W. Fuller
Cortney S. LeNeave
Hunegs, LeNeave & Kvas, P.A.
1000 Twelve Oaks Center Drive – Suite 101
Wayzata, Minnesota 55391

Stephen P. Watters
Watters Law Office
5101 Thimsen Avenue – Suite 200
Minnetonka, Minnesota 55345

vs. A17-0538

Lycoming Engines, a division of AVCO
Corporation,

Respondent.

Steven J. Wells
Timothy J. Droske
Andrew B. Brantingham
Dorsey & Whitney LLP
50 South Sixth Street – Suite 1500
Minneapolis, Minnesota 55402

Daniel A. Haws
John Paul J. Gatto
HKM, P.A.
30 East Seventh Street – Suite 3200
Saint Paul, Minnesota 55101

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctapun/2018/OPa170538-051518.pdf>

[Summary of issues](#)

(March 5, 2019, continued on next page.)

(March 5, 2019, continued from previous page.)

In the Matter of Minnesota Living Assistance, Inc.,
d/b/a Baywood Home Care.

A17-1821

Keith Ellison
Minnesota Attorney General
Jonathan D. Moler
Assistant Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

Bruce J. Douglas
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
225 South Sixth Street – Suite 1800
Minneapolis, Minnesota 55402

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa171821-082018.pdf>

[Summary of issues](#)

**STATE CAPITOL
SUPREME COURT COURTROOM, SECOND FLOOR**

Wednesday, March 6, 2019

En Banc Oral

State of Minnesota,

Respondent,

Keith Ellison
Minnesota Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

Michael O. Freeman
Hennepin County Attorney
Jonathan P. Schmidt
Assistant Hennepin County Attorney
C-2000 Government Center
300 South Sixth Street
Minneapolis, Minnesota 55487

vs. A18-0205

Nigeria Lee Harvey,

Appellant.

Cathryn Middlebrook
Chief Appellate Public Defender
Benjamin J. Butler
Assistant State Public Defender
540 Fairview Avenue North – Suite 300
Saint Paul, Minnesota 55104

Judgment Hennepin County

[Summary of issues](#)

Nonoral

In re Petition for Disciplinary Action against
Lori J. Sklar, a Minnesota Attorney, Registration
No. 0208218.

Lori J. Sklar
Minnetonka, Minnesota 55305

A18-1330

Susan M. Humiston
Director
Office of Lawyers Professional Responsibility
1500 Landmark Towers
345 Saint Peter Street
Saint Paul, Minnesota 55102

Petition for Discipline

[Summary of issues](#)

ST. THOMAS LAW SCHOOL – 10:00 A.M.

Thursday, March 7, 2019

En Banc Oral

State of Minnesota,

Appellant,

Keith Ellison
Minnesota Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

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

vs. A17-0710

Marie Jessica Hall,

Respondent.

Cathryn Middlebrook
Chief Appellate Public Defender
Sharon Jacks
Assistant State Public Defender
540 Fairview Avenue North – Suite 300
Saint Paul, Minnesota 55104

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/opa170710-052918.pdf>

[Summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Monday, March 11, 2019

En Banc Oral

In the Matter of the Application of Otter Tail
Power Company for Authority to Increase Rates
for Electric Service in Minnesota.

Keith Ellison
Minnesota Attorney General
Lisa A. Crum
Kathryn A. Fodness
Assistant Attorneys General
1400 Bremer Tower
445 Minnesota Street – Suite 1100
Saint Paul, Minnesota 55101

A17-1300

Bruce Gerhardson
Vice President, Regulatory Affairs
Otter Tail Power Company
215 South Cascade Street
Fergus Falls, Minnesota 56538

Richard J. Johnson
Patrick T. Zomer
Moss & Barnett, P.A.
150 South Fifth Street – Suite 1200
Minneapolis, Minnesota 55402

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctapun/2018/OPa171300-061118.pdf>

[Summary of issues](#)

Nonoral

Wal-Mart Real Estate Business Trust,

Relator,

Mark R. Bradford
Christine Hinrichs
Bassford Remele, P.A.
100 South Fifth Street – Suite 1500
Minneapolis, Minnesota 55402

vs. A18-1678

A18-1679

A18-1681

Robert A. Hill
Robert Hill Law, LTD.
1161 Wayzata Boulevard East
Wayzata, Minnesota 55391

County of Anoka,

Respondent.

Anthony C. Palumbo
Anoka County Attorney
Jason J. Stover
Christine V. Carney
Assistant Anoka County Attorneys
2100 Third Avenue – Suite 720
Anoka, Minnesota 55303

Minnesota Tax Court

[Summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Tuesday, March 12, 2019

En Banc Oral

State of Minnesota,

Respondent,

Keith Ellison
Minnesota Attorney General
1400 Bremer Tower
445 Minnesota Street
Saint Paul, Minnesota 55101

David L. Hanson
Beltrami County Attorney
David P. Frank
Chief Assistant Beltrami County Attorney
600 Minnesota Avenue Northwest – Suite 400
Bemidji, Minnesota 56601

vs. A18-0326

Misty Kay Roy,

Appellant.

Cathryn Middlebrook
Chief Appellate Public Defender
John Donovan
Assistant State Public Defender
540 Fairview Avenue North – Suite 300
Saint Paul, Minnesota 55104

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa180326-100818.pdf>

[Summary of issues](#)

Nonoral

In re Petition for Disciplinary Action against
Wendy Alison Nora, a Minnesota Attorney,
Registration No. 0165906.

Wendy Alison Nora
Minneapolis, Minnesota 55415

A18-1574

Susan M. Humiston
Director
Nicole S. Frank
Assistant Director
Office of Lawyers Professional Responsibility
1500 Landmark Towers
345 Saint Peter Street
Saint Paul, Minnesota 55102

Petition for Discipline

[Summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Wednesday, March 13, 2019

En Banc Oral

State of Minnesota,

Respondent,

Keith Ellison
Minnesota Attorney General
445 Minnesota Street – Suite 1800
Saint Paul, Minnesota 55101

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

vs. A18-0607

Derrick Zechariah Smith,

Appellant.

Cathryn Middlebrook
Chief Appellate Public Defender
Sara L. Martin
Assistant State Public Defender
540 Fairview Avenue North – Suite 300
Saint Paul, Minnesota 55104

Judgment Hennepin County

[Summary of issues](#)

ADMINISTRATIVE HEARINGS

March 27, 2019 10:00 a.m. State Capitol Building Second Floor
Hearing on Proposed Amendments to the Minnesota Rules of Evidence – ADM10-8047

March 27, 2019 11:00 a.m. State Capitol Building Second Floor
Hearing on Proposed Amendments to the Minnesota Rules of Criminal Procedure – ADM10-8049

NOTICE

**COUNSEL ARGUING CASES THIS MONTH
MUST COMPLETE THIS FORM AND
IMMEDIATELY E-FILE THE DOCUMENT
VIA E-MACS**

Counsel: Make certain you note in which courtroom, the Capitol or the Judicial Center, the case is scheduled for argument. Effective July 1, 2016, attorneys are required to e-file documents for appeals in all case types. Please e-file this form using Filing Type "Notice" and Filing Subtype "Counsel Arguing Cases." To register for appellate e-filing visit the Clerk of the Appellate Courts' web page at www.mncourts.gov.

Case Title: _____

Case Number: _____

_____ representing _____

will argue this case before the Minnesota Supreme Court on _____ in
(*please mark which courtroom*) _____ State Capitol _____ Judicial Center.

Signed: _____

Phone number: _____

If you have a question related to an upcoming oral argument, please call 651-291-5297.
For after-hours emergencies please email: mjcappellateclerkofcourt@courts.state.mn.us.

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 mjcappellateclerkofcourt@courts.state.mn.us.