

**STATE OF MINNESOTA  
IN SUPREME COURT**

**SUPREME COURT CALENDAR  
May 2019**

**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**

	<b><u>Case Number</u></b>	<b><u>Date</u></b>	<b><u>Location</u></b>
Engstrom v. Whitebirch, Inc., et al.	A18-0366	4/30/19	State Capitol Building Second Floor
Firefighters Union v. City of Brainerd	A18-0398	5/02/19	State Capitol Building Second Floor
General Mills, Inc. v. Commissioner of Revenue	A18-1660	5/01/19	State Capitol Building Second Floor
Getz v. Peace, et al.	A18-0121	4/29/19	State Capitol Building Second Floor
International Business Machines v. Commissioner of Revenue	A18-1740	5/01/19	State Capitol Building Second Floor
State v. Barthman	A17-1191	5/06/19	Judicial Center, Courtroom 300
State v. Ezeka	A18-0828	4/29/19	State Capitol Building Second Floor

**Nonoral**

In re Charges of Unprofessional Conduct in Panel Case No. 44387	A18-2113	5/07/19	
Jackson v. State	A18-1044	5/06/19	
KCP Hastings, LLC v. County of Dakota	A18-0133	4/30/19	

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

**Monday, April 29, 2019**

**En Banc Oral**

Ambree Getz,

Respondent,

Scott Wilson  
Scott Wilson, Attorney At Law  
310 Fourth Avenue South – Suite 5010  
Minneapolis, Minnesota 55415

Nathan H. Bjerke  
TSR Injury Law  
7760 France Avenue South – Suite 820  
Bloomington, Minnesota 55435

John M. Skubitz  
Anderson, Skubitz & Coryell, PLLC  
108 South Main Street  
Le Sueur, Minnesota 56058

vs. A18-0121

Eila Kaarina Peace, et al.,

Appellants.

Scott V. Kelly  
Daniel J. Bellig  
Joseph A. Gangi  
Farrish Johnson Law Office, Chtd.  
1907 Excel Drive  
Mankato, Minnesota 56001

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa180121-091718.pdf>

[Summary of issues](#)

State of Minnesota,

Respondent,

Keith Ellison  
Minnesota Attorney General  
1800 Bremer Tower  
445 Minnesota Street  
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. A18-0828

Joshua Chiazor Ezeka,

Appellant.

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

Judgment Hennepin County

[Summary of issues](#)

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

**Tuesday, April 30, 2019**

**En Banc Oral**

Daniel J. Engstrom,

Appellant,

Carl E. Christensen  
Christensen Law Office PLLC  
800 Washington Avenue North – Suite 704  
Minneapolis, Minnesota 55401

Prentiss Cox  
4633 Colfax Avenue South  
Minneapolis, Minnesota 55419

vs. A18-0366

Whitebirch, Inc., et al.,

Respondents.

Gerald W. VonKorff  
Nicholas R. Delaney  
Rinke Noonan  
1015 West Saint Germain Street – Suite 300  
Post Office Box 1497  
Saint Cloud, Minnesota 56302

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctapun/2018/OPa180366-091018.pdf>

[Summary of issues](#)

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**Nonoral**

KCP Hastings, LLC,

Relator,

Dan Biersdorf  
Ryan Simatic  
Biersdorf & Associates, P.A.  
150 South Fifth Street – Suite 3100  
Minneapolis, Minnesota 55402

vs. A18-0133

County of Dakota,

Respondent.

James C. Backstrom  
Dakota County Attorney  
Suzanne W. Schrader  
Assistant Dakota County Attorney  
1560 Highway 55  
Hastings, Minnesota 55033

Minnesota Tax Court

[Summary of issues](#)

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

**Wednesday, May 1, 2019**

**En Banc Oral**

General Mills, Inc., Relator/Cross-Respondent,	Thomas R. Muck Masha M. Yevzelman Guari S. Samant Fredrikson & Byron, P.A. 200 South Sixth Street – Suite 400 Minneapolis, Minnesota 55402
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vs. A18-1660

Commissioner of Revenue, Respondent/Cross-Relator.	Keith Ellison Minnesota Attorney General Wendy Tien Assistant Attorney General 445 Minnesota Street – Suite 900 Saint Paul, Minnesota 55101
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Minnesota Tax Court

[Summary of issues](#)

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International Business Machines Corporation and Subsidiaries, Respondents/Cross-Relators,	Walter A. Pickhardt Michael J. Kaupa Faegre Baker Daniels LLP 2200 Wells Fargo Center 90 South Seventh Street Minneapolis, Minnesota 55402
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vs. A18-1740

Commissioner of Revenue, Relator/Cross-Respondent.	Keith Ellison Minnesota Attorney General Wendy Tien Assistant Attorney General 445 Minnesota Street – Suite 900 Saint Paul, Minnesota 55101
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Minnesota Tax Court

[Summary of issues](#)

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

**Thursday, May 2, 2019**

**En Banc Oral**

Firefighters Union Local 4725, et al.,  
Respondents,

Marshall H. Tanick  
Teresa J. Ayling  
Meyer Njus Tanick, PA  
330 Second Avenue South – Suite 350  
Minneapolis, Minnesota 55401

vs. A18-0398

City of Brainerd,  
Appellant.

Pamela L. VanderWiel  
William J. Everett  
Anna L. Yunker  
Everett & VanderWiel, PLLP  
2930 146th Street West – Suite 115  
Rosemount, Minnesota 55068

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa180398-100818.pdf>

[Summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, May 6, 2019**

**En Banc Oral**

State of Minnesota,  
Respondent/Cross-Appellant,

Keith Ellison  
Minnesota Attorney General  
Karen B. McGillic  
Assistant Attorney General  
445 Minnesota Street – Suite 900  
Saint Paul, Minnesota 55101

Mark S. Rubin  
Saint Louis County Attorney  
100 North Fifth Avenue West  
Duluth, Minnesota 55802

vs. A17-1191

Brian Arthur Barthman,  
Appellant/Cross-Respondent.

Cathryn Middlebrook  
Chief Appellate Public Defender  
Roy G. Spurbeck  
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/OPa171191-091018.pdf>

[Summary of issues](#)

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**Nonoral**

Prentis Cordell Jackson,  
Appellant,

Prentis Cordell Jackson  
Stillwater, Minnesota 55082

vs. A18-1044

State of Minnesota,  
Respondent.

Keith Ellison  
Minnesota Attorney General  
1800 Bremer Tower  
445 Minnesota Street  
Saint Paul, Minnesota 55101

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

Order Hennepin County

[Summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Tuesday, May 7, 2019**

**Nonoral**

In re Charges of Unprofessional Conduct in Panel  
Case No. 44387.

A18-2113

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

Lawyers Board Panel Affirmance of Private Admonition

[Summary of issues](#)

**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](http://www.mncourts.gov).

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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](mailto: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](mailto:mjcappellateclerkofcourt@courts.state.mn.us).