

**STATE OF MINNESOTA  
IN SUPREME COURT**

**SUPREME COURT CALENDAR**

**November 2005  
(REVISED)**

**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 Kathleen A. Blatz

Justice Alan C. Page

Justice Paul H. Anderson

Justice Russell A. Anderson

Justice Helen M. Meyer

Justice Sam Hanson

Justice G. Barry Anderson

**En Banc Oral**

	<b><u>Case Number</u></b>	<b><u>Date</u></b>	<b><u>Location</u></b>
In re Discipline of Pierce	A05-847	11/3/05	State Capitol Building, Second Floor
Jerry's Enterprises, Inc. v. Larkin, Hoffman, Daly & Lindgren, Ltd., et al.	A04-188	11/2/05	State Capitol Building, Second Floor
Kelly, et al. v. Ellefson, Supreme Transport Services, LLC, et al.	A04-615	11/1/05	Hamline University Law School, Moot Courtroom – 11:00 a.m.
Peterson, et al. v. BASF Corp.	C3-02-857	10/31/05	State Capitol Building, Second Floor
State v. Edwards	A04-2396	11/7/05	Judicial Center, Courtroom 300
State v. Manthey	A04-2468	10/31/05	State Capitol Building, Second Floor
State v. Osborne	C1-03-253	11/03/05	State Capitol Building, Second Floor
State v. Scacchetti	A03-301	11/8/05	Judicial Center, Courtroom 300

**Nonoral**

American Crystal Sugar Co. v. County of Clay	A05-591	11/2/05	
Gonzales v. Commissioner of Revenue	A05-815	11/8/05	
Kmart Corp. v. County of Clay	A05-590	11/2/05	
McDonough v. State	A05-500	11/7/05	
McKenzie v. State	A05-629	11/8/05	
Opsahl v. State	A04-1992	11/3/05	

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Monday, October 31, 2005**

**En Banc Oral**

Ronald Peterson, et al.,  
Respondents,

Douglas J. Nill, P.A.  
Douglas J. Nill  
1100 One Financial Plaza  
120 South Sixth Street  
Minneapolis, Minnesota 55402-1801

Hugh V. Plunkett, III  
The Phoenician East  
4723 North 65th Street  
Scottsdale, Arizona 85251

Lockridge, Grindal, Nauen, P.L.L.P.  
J. Michael Schwartz  
100 Washington Avenue – Suite 2200  
Minneapolis, Minnesota 55401

vs. C3-02-857

BASF Corporation, a foreign corporation,  
Petitioner,  
Appellant.

Faegre & Benson, LLP  
Winthrop A. Rockwell  
John P. Borger  
Bruce Jones  
John P. Mandler  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, Minnesota 55402-3901

United States Supreme Court

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(Monday, October 31, 2005 Continued)

**En Banc Oral**

State of Minnesota,  
Respondent,

Mike Hatch  
Minnesota Attorney General  
Thomas Ragatz  
Assistant Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

Thomas Murtha  
Aitkin County Attorney  
Courthouse  
209 Second Street N.W.  
Aitkin, Minnesota 56431

vs. A04-2468

Ardelle Hope Manthey,  
Appellant.

Mark D. Nyvold  
332 Minnesota Street  
Suite W-1610  
St. Paul, Minnesota 55101

Judgment Aitkin County

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**HAMLIN UNIVERSITY LAW SCHOOL, MOOT COURTROOM**

**11:00 A.M.**

**Tuesday, November 1, 2005**

**En Banc Oral**

Kevin Kelly, as Trustee for the heirs and  
next-of-kin of Kelly Ann Kelly, et al.,  
Appellants,

Rider Bennett, LLP  
Patrick J. Sauter  
Stephen P. Watters  
Paula D. Vraa  
33 South Sixth Street – Suite 4900  
Minneapolis, Minnesota 55402

vs. A04-615

Jason Ellefson,  
Respondent,

LaBore, Giuliani, Cosgriff & Viltoft, Ltd.  
Emilio R. Giuliani  
P.O. Box 70  
Hopkins, Minnesota 55343-0070

Steven Eidemiller,  
Defendant,

Supreme Transport Services, L.L.C.,  
et al.,  
Respondents,

Katherine L. MacKinnon  
3744 Huntington Avenue  
St. Louis Park, Minnesota 55416-4918

Meagher & Geer, L.L.P.  
James F. Roegge  
Katherine A. McBride  
33 South Sixth Street – Suite 4200  
Minneapolis, Minnesota 55402-3788

Lido Café, Inc., a/k/a Lido's Italian  
Market Café & Bar,  
Defendant.

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0503/opa040615-0308.htm>

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**SUPREME COURT COURTROOM, STATE CAPITOL**

**Wednesday, November 2, 2005**

**En Banc Oral**

Jerry's Enterprises, Inc.,  
Respondent,

Lindquist & Vennum, P.L.L.P.  
James P. McCarthy  
Christopher L. Lynch  
4200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402

vs. A04-188

Larkin Hoffman Daly & Lindgren, Ltd.  
et al.,  
Appellants.

Arthur, Chapman, Kettering, Smetak & Pikala, P.A.  
Lindsay G. Arthur, Jr.  
Robert W. Kettering  
Kirsten J. Hansen  
500 Young Quinlan Building  
81 South Ninth Street  
Minneapolis, Minnesota 55402

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0501/opa040188-0124.htm>

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**Nonoral**

Kmart Corporation,  
Relator,

Fredrickson & Byron, P.A.  
Thomas R. Wilhelmy  
Steven J. Quam  
200 South Sixth Street – Suite 4000  
Minneapolis, Minnesota 55402-1425

vs. A05-590

County of Clay,  
Respondent.

Lisa N. Borgen  
Clay County Attorney  
Michelle Caduff Winkis  
Assistant Clay County Attorney  
807 N. 11th Street  
P.O. Box 280  
Moorhead, Minnesota 56561-0280

Tax Court

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(Wednesday, November 2, 2005 Continued)

**Nonoral**

American Crystal Sugar Company,  
Relator,

Faegre & Benson, LLP  
Myron L. Frans  
Mark D. Savin  
Lisa R. Pugh  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, Minnesota 55402-3901

vs. A05-591

County of Clay,  
Respondent.

Lisa N. Borgen  
Clay County Attorney  
Michelle Caduff Winkis  
Assistant Clay County Attorney  
807 N. 11th Street  
P.O. Box 280  
Moorhead, Minnesota 56561-0280

Tax Court

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**SUPREME COURT COURTROOM, STATE CAPITOL**

**Thursday, November 3, 2005**

**En Banc Oral**

In re Petition for Disciplinary Action against  
Brian Todd Pierce, a Minnesota Attorney,  
Registration No. 290038.

Case No. A05-847

Office of Lawyers Professional Responsibility  
Kenneth L. Jorgensen, Director  
Timothy M. Burke, Senior Assistant Director  
1500 Landmark Towers  
345 St. Peter Street  
St. Paul, Minnesota 55102-1218

Brian Todd Pierce  
P. O. Box 672  
Lakefield, Minnesota 56150

Petition for Disciplinary Action

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State of Minnesota,

Appellant,

Mike Hatch  
Minnesota Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

Raymond F. Schmitz  
Olmsted County Attorney  
James P. Spencer  
Senior Assistant County Attorney  
151 S.E. Fourth Street  
Rochester, Minnesota 55904

vs. C1-03-253

Anthony Osborne, Sr.,

Respondent.

Office of the Minnesota State Public Defender  
Benjamin J. Butler  
Assistant State Public Defender  
2221 University Avenue S.E. – Suite 425  
Minneapolis, Minnesota 55414-3230

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0402/opc030253-0224.htm>

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(Thursday, November 3, 2005 Continued)

**Nonoral**

Darby Jon Opsahl, petitioner,  
Appellant,

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

vs. A04-1992

State of Minnesota,  
Respondent.

Mike Hatch  
Minnesota Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

Michael Junge  
McLeod County Attorney  
Amy E. Olson  
Assistant County Attorney  
830 East Eleventh Street – Suite 112  
Glencoe, Minnesota 55336

Order McLeod County

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, November 7, 2005**

**En Banc Oral**

State of Minnesota,  
Respondent,

Mike Hatch  
Minnesota Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

Amy Klobuchar  
Hennepin County Attorney  
Linda M. Freyer  
Assistant County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

vs. A04-2396

Brian Keith Edwards,  
Appellant.

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

Judgment Hennepin County

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**Nonoral**

William J. McDonough, petitioner,  
Appellant,

William J. McDonough, Pro Se  
OID # 176909  
5329 Osgood Avenue North  
Stillwater, Minnesota 55082

vs. A05-500

State of Minnesota,  
Respondent.

Mike Hatch  
Minnesota Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

Susan Gaertner  
Ramsey County Attorney  
Darrell C. Hill  
Assistant County Attorney  
50 W. Kellogg Blvd. – Suite 315  
St. Paul, Minnesota 55102-1657

Order Ramsey County

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Tuesday, November 8, 2005**

**En Banc Oral**

State of Minnesota,

Respondent,

Mike Hatch  
Minnesota Attorney General  
John B. Galus  
Assistant Attorney General  
445 Minnesota Street – Suite 900  
St. Paul, Minnesota 55101-2127

Donald F. Ryan  
Crow Wing County Attorney  
322 Laurel Street  
Brainerd, Minnesota 56401

vs. A03-301

Anthony Phillip Scacchetti,

Appellant.

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

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0501/opa030301-0104.htm>

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**(Continued on Next Page)**

(Tuesday, November 8, 2005 Continued)

**Nonoral**

Juan P. Gonzales,  
Relator,

Juan P. Gonzales, Pro Se  
2732 2nd Avenue South – Apt. 205  
Minneapolis, Minnesota 55408-1721

vs. A05-815

Commissioner of Revenue,  
Respondent.

Mike Hatch  
Minnesota Attorney General  
Craig R. Anderson  
Assistant Attorney General  
445 Minnesota Street – Suite 900  
St. Paul, Minnesota 55101-2127

Tax Court

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**Nonoral**

Mwati P. McKenzie, petitioner,  
Appellant,

Mwati P. McKenzie, Pro Se  
OID # 155221  
970 Pickett Street North  
Bayport, Minnesota 55003-1490

vs. A05-629

State of Minnesota,  
Respondent.

Mike Hatch  
Minnesota Attorney General  
445 Minnesota Street – Suite 900  
St. Paul, Minnesota 55101-2127

Amy Klobuchar  
Hennepin County Attorney  
Michael Richardson  
Assistant Hennepin County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

Order Hennepin County

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