

FILED  
Court Administrator

FEB 20 2009

By  Deputy

135  
STATE OF MINNESOTA  
COUNTY OF RAMSEY

DISTRICT COURT  
SECOND JUDICIAL DISTRICT  
Case Type: CIVIL OTHER

File No. 62-CV-09-56

In the Matter of the Contest of General  
Election held on November 4, 2008, for the  
purpose of electing a United States Senator  
from the State of Minnesota,

Cullen Sheehan and Norm Coleman,

Contestants,

v.

Al Franken,

Contestee.

**CONTESTANTS' NOTICE  
OF MOTION AND MOTION**

To: Contestee Al Franken, by and through his attorneys David Lillehaug, Fredrikson  
& Byron, P.A., Suite 4000, 200 South Sixth Street, Minneapolis, MN 55402

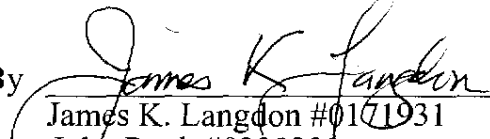
**PLEASE TAKE NOTICE THAT** at a time set by the Court Contestants will  
move the Court to enter a ruling applying the standards of Minn. Stat. §§ 203B.12 and  
203B.24, as the Court has announced those standards, to all absentee ballots cast in the  
election for U.S. Senate to determine whether those ballots are legally cast votes. The  
motion is based on the accompanying Memorandum, Affidavit of James K. Langdon, and  
all the files, records, evidence in the record and the proceedings herein.

Dated: February 20, 2009

JOSEPH S. FRIEDBERG CHARTERED  
Joseph S. Friedberg #32086  
Fifth Street Towers, Suite 320  
150 South Fifth Street  
Minneapolis, MN 55402  
(612) 339-8626

DORSEY & WHITNEY LLP

By

  
James K. Langdon #0171931  
John Rock #0323299

Suite 1500, 50 South Sixth Street  
Minneapolis, MN 55402-1498  
(612) 340-2600

TRIMBLE & ASSOCIATES, LTD.  
Tony P. Trimble, #122555  
Matthew W. Haapoja, #268033  
10201 Wayzata Blvd, Suite 130  
Minnetonka, MN 55305  
(952) 797-7477

KNAAK & KANTRUD, P.A.  
Frederic W. Knaak #56777  
3500 Willow Lake Blvd., Suite 800  
Vadnais Heights, MN 55110  
(651) 490-9078

Attorneys for Contestants  
Cullen Sheehan and Norm Coleman