

The logo for MASLON, featuring the word "MASLON" in a serif font with a horizontal line underneath.

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March 18, 2020

Via eFS

The Honorable John H. Guthmann
Ramsey County District Court
1470 Ramsey County Courthouse
15 Kellogg Boulevard West
St. Paul, MN 55102

Re: *In the Matter of ... the Proposed NorthMet Project St. Louis County Hoyt Lakes and Babbitt Minnesota*
Ramsey County Court File No. 62-cv-19-4626

Dear Judge Guthmann:

In light of the COVID-19 pandemic and related events, we write with a request in the above-referenced matter. As you know, the Court set an April 1, 2020 deadline, or 30 days after the March 2 service of the hearing's final transcript, for the parties to file their post-hearing briefs and proposed findings of fact, conclusion of law, and order (collectively, the "Post-Hearing Submissions"). Relators request a three-week extension of the deadline for our Post-Hearing Submissions, moving the deadline to April 22, 2020. We also request that the deadline for our reply briefs, currently due April 22, 2020, would be extended by three weeks to May 13, 2020. We have conferred with counsel for Minnesota Pollution Control Agency ("MPCA") and Poly Met Mining, Inc. ("PolyMet"); both MPCA and PolyMet take no position as to this request.

We have reviewed Governor Walz's Emergency Executive Orders, Chief Justice Gildea's administrative order, and the Second Judicial District's COVID-19 Information Guide. To the extent this proceeding is an extension of an appeal of an administrative decision, it is assigned a medium priority level according to the Limited Court Service Case Priorities List. We understand and of course agree that the Court must prioritize other matters at this time. That said, we do not believe that these orders necessarily impact our deadlines for Post-Hearing Submissions.

Many of us, however, have lost work days over the previous week. Our offices are transitioning to support remote work, requiring planning, technology modifications, and preparing our home offices for extended remote work. Some of us have lost work days due to travel restrictions and rescheduling. And with the closure of Minnesota's K-12 schools, some of us have lost work days, and anticipate losing additional work days, to care for our children. We are implementing our respective plans to continue work during the pandemic, and we hope to be able to resume a more normal work schedule within the next few days. It is difficult, however, to know the extent of how this will disrupt our work. Therefore, a three-week extension is reasonable given the parties' and the court's need to respond to COVID-19.

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As this request is unopposed, Relators also request that the Court order relief without a hearing. I have enclosed a proposed order, which will also be sent to your chambers via email.

We hope that you, your staff, and all those at the courthouse remain well during this pandemic.

Respectfully submitted,

MASLON LLP

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cc: All Counsel (via eFS)

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