

STATE OF MINNESOTA

IN SUPREME COURT

IT IS HEREBY ORDERED that Rule 27.02, Rule 46, Rule 60.01 and Rule 62.03 of the RULES OF CIVIL PROCEDURE FOR THE DISTRICT COURTS OF MINNESOTA, as amended November 10, 1967, are amended to read as follows:

Rule 27.02 Pending Appeal

"If an appeal has been taken from a judgment or order of a district court, or before the taking of an appeal if the time therefor has not expired, the district court in which the judgment or order was rendered may allow the taking of the deposition of witnesses to perpetuate their testimony for use in the event of further proceedings in the district court. In such case, the party who desires to perpetuate the testimony may make a motion in the district court for leave to take the depositions, upon the same notice and service thereof as if the action was pending in the district court. The motion shall show (1) the names and addresses of persons to be examined and the substance of the testimony which he expects to elicit from each, and (2) the reasons for perpetuating their testimony. If the court finds that the perpetuation of the testimony is proper to avoid a failure or delay of justice, it may make an order allowing the depositions to be taken and may make orders of the character provided for by Rules 34 and 35, and thereupon the depositions may be taken and used in the same manner and under the same conditions as are prescribed in these rules for depositions taken in actions pending in the district court."

RULE 46. EXCEPTIONS UNNECESSARY

"Formal exceptions to rulings or orders of the court are unnecessary; but for all purposes for which an exception has heretofore been taken it is sufficient that a party, at the time the ruling or order of the court is made or sought, makes known to the court the action which he desires the court to take or his objection to the action of the court and his grounds therefor; and, if a party has no opportunity to object to a ruling or order at the time it is made, the absence of an objection does not thereafter prejudice him. A minute of the objection to the ruling or order shall be made by the judge or reporter."

Rule 60.01 Clerical Mistakes


"Clerical mistakes in judgments, orders, or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time of its own initiative or on the motion of any party and after such notice, if any, as the court orders. During the pendency of an appeal, such mistakes may be so corrected with leave of the appellate court."

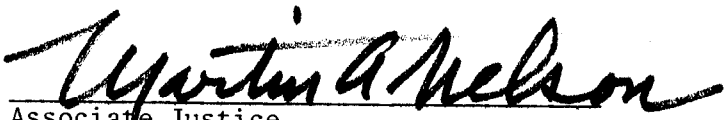
Rule 62.03 Stay Upon Appeal

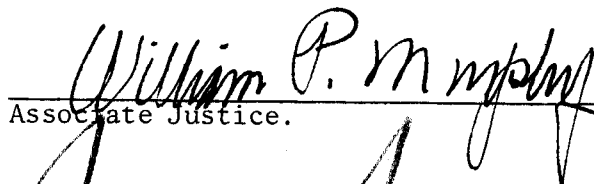
"When an appeal is taken, the appellant may obtain a stay only when authorized and in the manner provided in Rules of Civil Appellate Procedure, Rules 107 and 108."

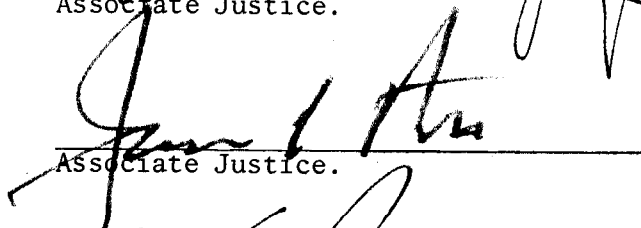
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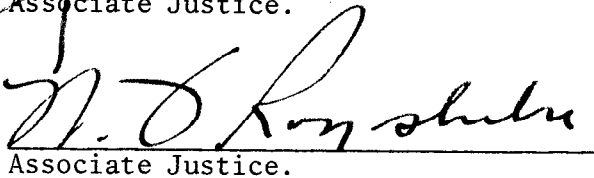
SUPREME COURT OF THE STATE OF MINNESOTA

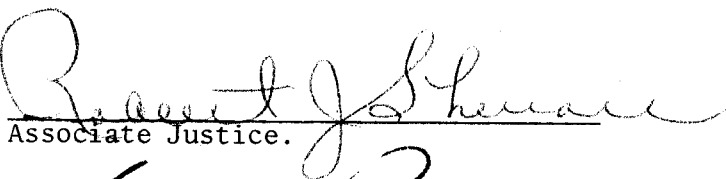
  
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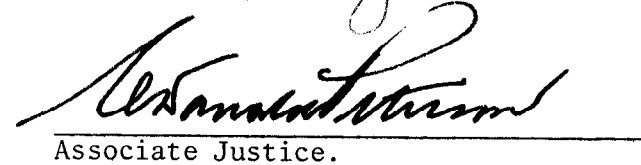
  
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Associate Justice.

  
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