

**STATE OF MINNESOTA**

**IN SUPREME COURT**

**SUPREME COURT CALENDAR**  
**April 2011**

**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)**

**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 Lorie S. Gildea**

**Justice Alan C. Page**

**Justice Paul H. Anderson**

**Justice Helen M. Meyer**

**Justice G. Barry Anderson**

**Justice Christopher J. Dietzen**

**Justice David R. Stras**

**En Banc Oral**

	<b><u>Case Number</u></b>	<b><u>Date</u></b>	<b><u>Location</u></b>
City of St. Paul v. Eldredge	A10-528	4/05/11	State Capitol Building, Second Floor
Frazier, et al. v. Burlington Northern Railway Santa Fe Corporation, et al.	A09-2212 A09-2213 A09-2214 A09-2215	4/07/11	State Capitol Building, Second Floor
In re: Individual 35W Bridge Litigation	A10-87 A10-89 A10-90 A10-91	4/11/11	Judicial Center, Courtroom 300
In re: Individual 35W Bridge Litigation	A09-1776 A09-1778	4/11/11	Judicial Center, Courtroom 300
In re Jacobs, Petitioner. State v. Jacobs	A10-1400	4/06/11	University of St. Thomas Law School – 10:00 a.m.
Kern v. Torborg, et al.	A10-355	4/12/11	Judicial Center, Courtroom 300
State v. Ali	A10-1737	4/13/11	Judicial Center, Courtroom 300
State v. Beecroft	A09-390 A10-1604	4/12/11	Judicial Center, Courtroom 300
State v. Ferguson	A10-540	4/04/11	Judicial Center, Courtroom 300
State v. Ortega	A10-765	4/04/11	Judicial Center, Courtroom 300
State v. Palmer	A10-1356	4/05/11	State Capitol Building, Second Floor
U.S. Bank NA, et al. v. Cold Spring Granite Company	A10-252	4/13/11	Judicial Center, Courtroom 300

**Nonoral**

Buckingham v. State	A10-2240	4/07/11	
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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, April 4, 2011**

**En Banc Oral**

State of Minnesota,  
Respondent,

Lori Swanson  
Minnesota Attorney General  
Kelly O'Neill Moller  
Assistant Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

Paul Kiltinen  
Dodge County Attorney  
Dodge County Courthouse  
22 East Sixth Street  
Mantorville, Minnesota 55955-2220

vs. A10-765

Danny Ortega, Sr.,  
Appellant.

David W. Merchant  
Chief Appellate Public Defender  
Melissa Sheridan  
Assistant State Public Defender  
1380 Corporate Center Curve – Suite 320  
Eagan, Minnesota 55121

Judgment Dodge County

[Summary of issues](#)

State of Minnesota,  
Appellant,

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

John Choi  
Ramsey County Attorney  
Mitchell L. Rothman  
Assistant County Attorney  
50 West Kellogg Boulevard – Suite 315  
St. Paul, Minnesota 55102

vs. A10-540

Michael James Ferguson,  
Respondent.

David W. Merchant  
Chief Appellate Public Defender  
Benjamin J. Butler  
Assistant State Public Defender  
540 Fairview Avenue North – Suite 300  
St. Paul, Minnesota 55104

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1008/opa100540-0803.pdf>

[Summary of issues](#)

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Tuesday, April 5, 2011**

**En Banc Oral**

City of St. Paul,  
Respondent,

Sara R. Grewing  
St. Paul City Attorney  
Gail L. Langfield  
Assistant City Attorney  
400 City Hall and Court House  
15 West Kellogg Boulevard  
St. Paul, Minnesota 55102

vs. A10-528

William A. Eldredge,  
Appellant,

Charles A. Horowitz  
Brian N. Niemczyk  
Mansfield, Tanick & Cohen, P.A.  
1700 U.S. Bank Plaza South  
220 South Sixth Street  
Minneapolis, Minnesota 55402-4511

Nancy Dudley Kelly, et al.,  
Respondents.

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1009/opa100528-0921.pdf>

[Summary of issues](#)

State of Minnesota,  
Respondent,

Lori Swanson  
Minnesota Attorney General  
Matthew Frank  
Assistant Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

Janelle Kendall  
Stearns County Attorney  
Administration Center, Room 448  
705 Courthouse Square  
St. Cloud, Minnesota 56303-4773

vs. A10-1356

Keonne Alexander Palmer,  
Appellant.

David W. Merchant  
Chief Appellate Public Defender  
Theodora Gaitas  
Assistant State Public Defender  
540 Fairview Avenue North – Suite 300  
St. Paul, Minnesota 55104

Judgment Stearns County

[Summary of issues](#)

**UNIVERSITY OF ST. THOMAS LAW SCHOOL – 10:00 A.M.**

**Wednesday, April 6, 2011**

**En Banc Oral**

In re William Allan Jacobs, Petitioner.

State of Minnesota,  
Respondent,

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

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

vs. A10-1400

William Allan Jacobs,  
Appellant.

Paul Engh  
220 South Sixth Street – Suite 215  
Minneapolis, Minnesota 55402

Joseph S. Friedberg  
701 Fourth Avenue South – Suite 300  
Minneapolis, Minnesota 55415

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1011/opa101400-1124.pdf>

[Summary of issues](#)

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**SUPREME COURT COURTROOM, STATE CAPITOL**

**Thursday, April 7, 2011**

**En Banc Oral**

Michael D. Frazier, as Trustee for the  
Next-of-Kin of Brian L. Frazier, deceased,  
Appellant (A09-2212),

Patrick J. Sauter  
Mark R. Bradford  
Bassford Remele, P.A.  
33 South Sixth Street – Suite 3800  
Minneapolis, Minnesota 55402

Harry James Rhoades, Sr., as Trustee for the  
Next-of-Kin of Harry James Rhoades, Jr.,  
deceased,  
Appellant (A09-2213),

William O. Bongard  
Sieben, Grose, Von Holtum & Carey, Ltd.  
900 Midwest Plaza East Building  
800 Marquette Avenue  
Minneapolis, Minnesota 55402

Denise Renee Shannon, as Trustee for the  
Next-of-Kin of Bridgette Marie Shannon,  
deceased,  
Appellant (A09-2214),

Allan F. Shapiro  
Finn Shapiro  
Parkdale Plaza – Suite 340  
1660 South Highway 100  
St. Louis Park, Minnesota 55416

Elizabeth Chase, as Trustee for the  
Next-of-Kin of Corey Everett Chase, deceased,  
Appellant (A09-2215),

Sharon L. Van Dyck  
Van Dyck Law Firm, PLLC  
5354 Parkdale Drive – Suite 103  
St. Louis Park, Minnesota 55416

Robert L. Pottroff  
Pottroff Law Office, P.A.  
320 Sunset Avenue  
Manhattan, Kansas 66502

Paul E. Godlewski  
Schwebel, Goetz & Sieben  
5120 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402-2246

vs. A09-2212, A09-2213, A09-2214, A09-2215

Burlington Northern Santa Fe Corporation,  
et al.,  
Respondents,

Timothy R. Thornton  
Sam Hanson  
Jonathan P. Schmidt  
Tara Reese Duginske  
Briggs and Morgan, P.A.  
2200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402  
Minneapolis, Minnesota 55402-1234

**(Thursday, April 7, 2011 continued on next page)**

(Thursday April 7, 2011 continued)

Richard P. Wright, as Special Administrator  
of the Estate of Corey E. Chase,  
Appellant (A09-2215),

Cristy Y. Frazier, as Special Administrator  
for the Estate of Brian Frazier,  
Appellant (A09-2213,  
A09-2214, A09-2215),

and

BNSF Railway Company, third-party plaintiff,  
Respondent (A09-2213,  
A09-2214, A09-2215),

vs.

Richard P. Wright, as Special Administrator  
for the Estate of Corey Everett Chase, deceased,  
Appellant (A09-2213,  
A09-2214, A09-2215).

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1009/opa092212-0914.pdf>

[Summary of issues](#)

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**Nonoral**

Justin Lamont Buckingham, petitioner,  
Appellant,

Justin Lamont Buckingham  
5329 Osgood Avenue North  
Stillwater, Minnesota 55082-1117

vs. A10-2240

State of Minnesota,  
Respondent.

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

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

Order Ramsey County

[Summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, April 11, 2011**

**En Banc Oral**

In re: Individual 35W Bridge Litigation

Case Nos. A10-87, A10-89, A10-90, A10-91

David R. Herr  
James Duffy O'Connor  
Kirk O. Kolbo  
Nicole Narotzky  
Abigail Richey-Allen  
Maslon Edelman Borman & Brand, LLP  
3300 Wells Fargo Center  
90 South Sixth Street  
Minneapolis, Minnesota 55402-4140

Lori Swanson  
Minnesota Attorney General  
Alan I. Gilbert  
Solicitor General  
Kristyn Anderson  
Gary Cunningham  
Assistant Attorneys General  
445 Minnesota Street – Suite 1100  
St. Paul, Minnesota 55101-2127

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1008/opa100087-0824.pdf>

[Summary of issues](#)

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In re: Individual 35W Bridge Litigation

Case Nos. A09-1776, A09-1778

Jocelyn L. Knoll  
George Eck  
Eric A. O. Ruzicka  
Colin Wicker  
Dorsey & Whitney LLP  
50 South Sixth Street – Suite 1500  
Minneapolis, Minnesota 55402-1498

David R. Herr  
James Duffy O'Connor  
Kirk O. Kolbo  
Leora Maccabee  
Diana Marianetti  
Maslon Edelman Borman & Brand, LLP  
3300 Wells Fargo Center  
90 South Sixth Street  
Minneapolis, Minnesota 55402-4140

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1008/opa091776-0824.pdf>

[Summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Tuesday, April 12, 2011**

**En Banc Oral**

Michelle A. Kern, et al,  
Appellants,

Nathan W. Nelson  
Timothy W. Nelson  
Nelson Personal Injury, LLC  
14 North Seventh Avenue – Suite 102  
P.O. Box 2388  
St. Cloud, Minnesota 56302-2388

vs. A10-355

Cody S. Jansen, et al.,  
Respondents,

Jennifer Torborg, et al.,  
Respondents.

Dyan Jean Ebert  
Joel M. Frye  
Quinlivan & Hughes, P.A.  
P.O. Box 1008  
St. Cloud, Minnesota 56302-1008

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/1009/opa100355-0914.pdf>

[Summary of issues](#)

State of Minnesota,  
Respondent,

Lori Swanson  
Minnesota Attorney General  
Kimberly R. Parker  
Assistant Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

Peter Orput  
Washington County Attorney  
15015 62nd Street North  
P.O. Box 6  
Stillwater, Minnesota 55082

vs. A09-390, A10-1604

Nicole Marie Beecroft,  
Appellant.

David W. Merchant  
Chief Appellate Public Defender  
Sara L. Martin  
Assistant State Public Defender  
540 Fairview Avenue North – Suite 300  
St. Paul, Minnesota 55104

Order Washington County

[Summary of issues](#)

**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Wednesday, April 13, 2011**

**En Banc Oral**

State of Minnesota,  
Respondent,

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

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

vs. A10-1737

Mahdi Hassan Ali,  
Appellant.

Frederick J. Goetz  
Goetz & Eckland P.A.  
Expositional Hall at Riverplace  
43 Main Street S.E. – Suite 505  
Minneapolis, Minnesota 55414

Order Court of Appeals

[Summary of issues](#)

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U.S. Bank N.A., et al.,  
Appellants,

Peter J. Gleekel  
Craig S. Krummen  
Winthrop & Weinstine, P.A.  
225 South Sixth Street – Suite 3500  
Minneapolis, Minnesota 55402

vs. A10-252

Cold Spring Granite Company, et al.,  
Respondents,

William Z. Pentelovitch  
Wayne Moskowitz  
Martin S. Fallon  
Maslon Edelman Borman & Brand, LLP  
3300 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, Minnesota 55402

Patrick D. Alexander,  
Respondent.

Joseph W. Anthony  
Cheryl A. Stanton  
Anthony Ostlund Baer & Louwagie, P.A.  
3600 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, Minnesota 55402

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1009/opa100252-0914.pdf>

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[Summary of issues](#)