

**STATE OF MINNESOTA**

**IN SUPREME COURT**

**SUPREME COURT CALENDAR**  
**December 2009**

**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 Eric J. Magnuson**

**Justice Alan C. Page**

**Justice Paul H. Anderson**

**Justice Helen M. Meyer**

**Justice G. Barry Anderson**

**Justice Lorie S. Gildea**

**Justice Christopher J. Dietzen**

**En Banc Oral**

	<b><u>Case Number</u></b>	<b><u>Date</u></b>	<b><u>Location</u></b>
Citizens State Bank v. Raven Trading Partners, Inc., et al.	A08-1560	12/08/09	Judicial Center, Courtroom 300
Day Masonry v. I.S.D. No. 347	A08-929	12/07/09	Judicial Center, Courtroom 300
Finnegan v. State	A08-777	12/09/09	Judicial Center, Courtroom 300
Halla Nursery, Inc., et al. v. City of Chanhassen	A08-233	12/03/09	State Capitol Building, Second Floor
HMN Financial, Inc., and Affiliates v. Commissioner of Revenue	A09-1164	12/02/09	State Capitol Building, Second Floor
In re Discipline of Roggeman	A09-100	12/03/09	State Capitol Building, Second Floor
Savig v. First National Bank of Omaha and Messerli & Kramer	A09-1221	12/01/09	State Capitol Building, Second Floor
Seehus v. Bor-Son Construction, Inc. and CNA-RSKO	A09-1388	12/08/09	Judicial Center, Courtroom 300
Siewert v. Northern States Power Company, d/b/a Xcel Energy	A07-1975 A07-2070	12/02/09	State Capitol Building, Second Floor
State v. Matthews	A09-184	12/01/09	State Capitol Building, Second Floor
State v. Morales	A07-2401	12/09/09	Judicial Center, Courtroom 300
State v. Tomassoni	A08-1879	12/07/09	Judicial Center, Courtroom 300

**Nonoral**

Moua v. State	A09-1528	11/30/09	
Schober v. Commissioner of Revenue	A09-717	11/30/09	

**Monday, November 30, 2009**

**Nonoral**

Ronald L. Schober,  
Relator,

Ronald L. Schober  
625 Chaucer Lane  
Watertown, Minnesota 55388

vs. A09-717

Commissioner of Revenue,  
Respondent.

Lori Swanson  
Minnesota Attorney General  
Rita Coyle Demeules  
Assistant Attorney General  
445 Minnesota Street – Suite 900  
St. Paul, Minnesota 55101-2127

Tax Court

[summary of issues](#)

---

Kou Moua, petitioner,  
Appellant,

Kou Moua  
OID # 210505  
MCF - Stillwater  
970 Pickett Street North  
Bayport, Minnesota 55003-1490

vs. A09-1528

State of Minnesota,  
Respondent.

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

Susan Gaertner  
Ramsey County Attorney  
Mark Nathan Lystig  
Assistant Ramsey County Attorney  
500 West Kellogg Boulevard – Suite 315  
St. Paul, Minnesota 55102

Order Ramsey County

[summary of issues](#)

---

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Tuesday, December 1, 2009**

**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  
David C. Brown  
Assistant Hennepin County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

vs. A09-184

Zachery Otis Matthews,  
Respondent.

Office of the Minnesota State Public Defender  
Lydia Villalva Lijo  
Assistant State Public Defender  
540 Fairview Avenue North – Suite 300  
St. Paul, Minnesota 55104

Judgment Hennepin County

[summary of issues](#)

Mona Savig and Robert Savig,  
Plaintiffs,

Nicholas P. Slade  
Barry & Slade, LLC  
2021 East Hennepin Avenue – Suite 195  
Minneapolis, Minnesota 55413

Sam Glover  
Samuel J. Glover & Associates, LLC  
2021 East Hennepin Avenue – Suite 195  
Minneapolis, Minnesota 55413

vs. A09-1221

First National Bank of Omaha and  
Messerli & Kramer, P.A.,  
Defendants.

David F. Herr  
Haley N. Schaffer  
Maslon Edelman Borman & Brand, LLP  
3300 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, Minnesota 55402-4140

Derrick N. Weber  
Truman W. Schabilion  
3033 Campus Drive – Suite 250  
Plymouth, Minnesota 55441

Certified Question  
United States District Court, District of Minnesota

[summary of issues](#)

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Wednesday, December 2, 2009**

**En Banc Oral**

Greg Siewert and Harlan Siewert,  
d/b/a Siewert Holsteins,  
Respondents,

Charles A. Bird  
Bird, Jacobsen & Stevens, P.C.  
300 Third Avenue S.E. – Suite 305  
Rochester, Minnesota 55904

William D. Mahler  
Will Mahler Law Firm  
300 Third Avenue S.E. – Suite 202  
Rochester, Minnesota 55904

vs. A07-1975 and A07-2070

Northern States Power Company,  
d/b/a Xcel Energy,  
Appellant.

Timothy R. Thornton  
Kevin M. Decker  
Christianne A. Riopel  
Briggs and Morgan, P.A.  
2200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0812/opa071975-1209.pdf>

[summary of issues](#)

HMN Financial, Inc., and Affiliates,  
Relator,

Walter A. Pickhardt  
Adam B. Thimmesch  
Faegre & Benson, LLP  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, Minnesota 55402

vs. A09-1164

Commissioner of Revenue,  
Respondent.

Lori Swanson  
Minnesota Attorney General  
Rita Coyle Demeules  
Assistant Attorney General  
445 Minnesota Street – Suite 900  
St. Paul, Minnesota 55101-2127

Tax Court

[summary of issues](#)

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Thursday, December 3, 2009**

**En Banc Oral**

Halla Nursery, Inc., et al.,  
Appellants,

Phillip R. Krass  
Benjamin J. Court  
Krass Monroe, P.A.  
800 Norman Center Drive – Suite 1000  
Minneapolis, Minnesota 55437

vs. A08-233

City of Chanhassen,  
Respondent.

Thomas M. Scott  
Campbell Knutson, P.A.  
1380 Corporate Center Curve – Suite 317  
Eagan, Minnesota 55121

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0903/opa080233-0324.pdf>

[summary of issues](#)

---

In re Petition for Disciplinary Action against  
Chad M. Roggeman, a Minnesota Attorney,  
Registration No. 28788X.

Case No. A09-100

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

Eric T. Cooperstein  
Law Office of Eric T. Cooperstein, PLLC  
1700 U.S. Bank Plaza South  
220 South Sixth Street  
Minneapolis, Minnesota 55402

Petition for Disciplinary Action

[summary of issues](#)

---

**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, December 7, 2009**

**En Banc Oral**

Day Masonry,

Appellant,

William A. Moeller  
Blethen, Gage & Krause, PLLP  
127 South Second Street  
P.O. Box 3049  
Mankato, Minnesota 56001

vs. A08-929

Independent School District No. 347,  
Respondent,

Amy E. Mace  
Christian R. Shafer  
Ratwik, Roszak & Maloney, P.A.  
730 Second Avenue South – Suite 300  
Minneapolis, Minnesota 55402

Commercial Roofing, Inc.,  
Appellant,

Bill Drinane  
Timothy S. Poeschl  
608 Second Avenue South  
Minneapolis, Minnesota 55402

Chad McKenney  
Donohue, McKenney & Bergquist, Ltd  
11222 86th Avenue North  
Maple Grove, Minnesota 55369

GenFlex Roofing Systems, LLP,  
Appellant,

Michael S. Kreidler  
Louise A. Behrendt  
Stich, Angell, Kreidler & Dodge, P.A.  
The Crossings – Suite 120  
250 Second Avenue South  
Minneapolis, Minnesota 55401

Lovering-Johnson Construction,  
Appellant.

Mark S. Brown  
Timothy J. Carrigan  
Arthur, Chapman, Kettering, Smetak & Pikala, P.A.  
500 Young Quinlan Building  
81 South Ninth Street  
Minneapolis, Minnesota 55402-3214

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0905/opa080929-0505.pdf>

[summary of issues](#)

---

**(Monday, December 7, 2009 continued on next page)**



(Monday, December 7, 2009 continued)

State of Minnesota,

Respondent,

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

Robert M.A. Johnson  
Anoka County Attorney  
Marcy S. Crain  
Assistant Anoka County Attorney  
Anoka County Government Center  
2100 Third Avenue – Suite 720  
Anoka, Minnesota 55303-5025

vs. A08-1879

Gary H. Tomassoni,

Appellant.

Office of the Minnesota State Public Defender  
Roy G. Spurbeck  
Assistant State Public Defender  
540 Fairview Avenue North – Suite 300  
St. Paul, Minnesota 55104

Judgment Anoka County

[summary of issues](#)

---

**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Tuesday, December 8, 2009**

**En Banc Oral**

Citizens State Bank,  
Appellant,

Michael L. Brutlag  
Matthew R. Doherty  
Brutlag, Hartmann & Trucke, P.A.  
3555 Plymouth Boulevard – Suite 117  
Minneapolis, Minnesota 55447-1399

vs. A08-1560

Raven Trading Partners, LLC, et al.,  
Respondents.

Daniel W. Stauner  
P.O. Box 41907  
Plymouth, Minnesota 55441-0907

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0906/opa081560-0602.pdf>

[summary of issues](#)

---

David K. Seehus,  
Respondent,

Russell J. LaCourse  
LaCourse Law Office, P.A.  
227 West First Street – Suite 600  
Duluth, Minnesota 55802

vs. A09-1388

Bor-Son Construction, Inc. and CNA-RSKO,  
Respondents,

Larry J. Peterson  
Brent Kleffman  
Peterson, Logren & Kilbury, P.A.  
315 Wright Building  
2233 University Avenue West  
St. Paul, Minnesota 55114-1629

Wesley Residence, Inc. and MIGA by  
GAB Robins North America,  
Relators,

Michael D. Miller  
Jeffrey R. Homuth  
McCollum, Crowley, Moschet & Miller, Ltd.  
700 Wells Fargo Plaza  
7900 Xerxes Avenue South  
Minneapolis, Minnesota 55431

and

Twin Cities Spine Center, Blue Cross/Blue Shield  
of Minnesota & Blue Plus, SMDC Health  
Systems, Minnesota DOLI/Vocational  
Rehabilitation Unit, Dr. Christian A. Audette,  
Chiropractic Health Center,  
Intervenors.

Workers' Compensation Court of Appeals

[summary of issues](#)

---

**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Wednesday, December 9, 2009**

**En Banc Oral**

Jason Finnegan,

Appellant,

Office of the Minnesota State Public Defender  
G. Tony Atwal  
Assistant State Public Defender  
540 Fairview Avenue North – Suite 300  
St. Paul, Minnesota 55104

vs. A08-777

State of Minnesota,

Respondent.

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

David J. Hauser  
Otter Tail County Attorney  
Otter Tail County Courthouse  
121 Junius Avenue  
Fergus Falls, Minnesota 56537

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0905/opa080777-0505.pdf>

[summary of issues](#)

---

State of Minnesota,

Appellant,

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  
C-2000 Government Center  
300 South Sixth Street  
Minneapolis, Minnesota 55487

vs. A07-2401

Angel Morales,

Respondent.

Office of the Minnesota State 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/0904/opa072401-0428.pdf>

[summary of issues](#)

---