

**STATE OF MINNESOTA**

**IN SUPREME COURT**

**SUPREME COURT CALENDAR**  
**December 2010**

**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>
Frederick Farms, Inc. v. County of Olmsted	A10-1089	12/06/10	Judicial Center, Courtroom 300
In re the Estate of: Patrick W. Butler, Deceased.	A09-1208	12/01/10	State Capitol Building, Second Floor
Staab v. Diocese of St. Cloud	A09-1335	12/02/10	State Capitol Building, Second Floor
State v. Ferguson	A10-499	12/01/10	State Capitol Building, Second Floor
State v. Gaiovnik, a/k/a Gaiounik	A09-190	12/07/10	Judicial Center, Courtroom 300
State v. Kuhlmann	A09-915	12/07/10	Judicial Center, Courtroom 300
State v. Ortega	A10-507	12/02/10	State Capitol Building, Second Floor
Western National Insurance Company v. Thompson, et al.	A09-1506	12/06/10	Judicial Center, Courtroom 300

**Administrative Hearing**

Lawyer Registration Rules-- Petition to Extend Fee Supplement	C9-81-1206	12/14/10 2:00 p.m.	Judicial Center, Courtroom 300
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**SUPREME COURT COURTROOM, STATE CAPITOL**

**Wednesday, December 1, 2010**

**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  
Lee W. Barry  
Assistant County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

vs. A10-499

Calvin Ferguson,

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

Hennepin County

[Summary of issues](#)

In re the Estate of: Patrick W. Butler,  
Deceased.

Case No. A09-1208

William A. Erhart  
Erhart & Associates, L.L.C.  
316 East Main Street – Suite 110  
Anoka, Minnesota 55303

John M. Huberty  
Huberty Law Firm  
316 East Main Street – Suite 110  
Anoka, Minnesota 55303

Kyle T. Wermerskirchen  
Steven H. Snyder & Associates  
11270 – 86th Avenue North  
Maple Grove, Minnesota 55369

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1005/opa091208-0525.pdf>

[Summary of issues](#)

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Thursday, December 2, 2010**

**En Banc Oral**

Alice Ann Staab,

Appellant,

Kevin S. Carpenter  
Carpenter Injury Law Office  
2919 Veterans Drive  
St. Cloud, Minnesota 56302-0984

H. Morrison Kershner  
Pemberton, Sorlie, Rufer & Kershner, PLLP  
110 N. Mill Street  
Fergus Falls, Minnesota 56538-0866

vs. A09-1335

Diocese of St. Cloud,

Respondent.

Dyan Jean Ebert  
Laura A. Moehrle  
Quinlivan & Hughes, P.A.  
P.O. Box 1008  
St. Cloud, Minnesota 56302-1008

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1003/opa091335-0330.pdf>

[Summary of issues](#)

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. A10-507

Danny Ortega, Jr.,

Appellant.

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

Dodge County

[Summary of issues](#)

**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, December 6, 2010**

**En Banc Oral**

Western National Insurance Company,  
Respondent,

Richard S. Stempel  
Stempel & Doty, PLC  
41 – 12th Avenue North  
Hopkins, Minnesota 55343

Diane B. Bratvold  
Briggs and Morgan, P.A.  
2200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402-2157

vs. A09-1506

Bruce Thompson, et al.,  
Appellants.

Mark A. Karney  
1300 Nicollet Avenue – Suite 3042  
Minneapolis, Minnesota 55403

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1005/opa091506-0504.pdf>

[Summary of issues](#)

Frederick Farms, Inc.,  
Relator,

Kenneth R. Moen  
Moen Law Firm  
202 Riverside Building  
400 South Broadway  
Rochester, Minnesota 55904

vs. A10-1089

County of Olmsted,  
Respondent.

Mark Ostrem  
Olmsted County Attorney  
Olmsted County Government Center  
151 – 4th Street S.E.  
Rochester, Minnesota 55904

Tax Court

[Summary of issues](#)

**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Tuesday, December 7, 2010**

**En Banc Oral**

State of Minnesota,  
Respondent,

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

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

vs. A09-190

Christopher George Gaiovnik, a/k/a  
Christopher George Gaiounik,  
Appellant.

David W. Merchant  
Chief Appellate Public Defender  
Roy G. Spurbeck  
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/ctapun/1004/opa090190-0413.pdf>

[Summary of issues](#)

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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

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

vs. A09-915

Brent Theodore Kuhlmann,  
Appellant.

David W. Merchant  
Chief Appellate Public Defender  
G. Tony Atwal  
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/1004/opa090915-0406.pdf>

[Summary of issues](#)

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## **ADMINISTRATIVE HEARING**

**December 14, 2010**

**2:00 p.m.**

**Judicial Center, Courtroom 300**

Hearing on petition to extend Lawyer Registration Fee supplement for Board of Public Defense.

See Order filed September 23, 2010, File No. C1-81-1206 (correct file number is C9-81-1206).