

**STATE OF MINNESOTA**

**IN SUPREME COURT**

**SUPREME COURT CALENDAR**  
**March 2009**  
**(AMENDED)**

**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>
Bahr v. Boise Cascade Corp.	A07-1353	3/02/09	University of Minnesota Law School – 1:00 p.m.
Barnes v. State	A07-2090 A08-1594	3/09/09	Minnesota Judicial Center, Courtroom 300
Do v. American Family Mutual Insurance Company	A07-1461	3/03/09	State Capitol Building, Second Floor
In re Discipline of Brost	A08-1012	3/05/09	State Capitol Building, Second Floor
In re Discipline of Taber	A08-1524	3/05/09	State Capitol Building, Second Floor
In re Paul W. Abbott Company In re: Minnesota Asbestos Litigation	A08-1105	3/04/09	State Capitol Building, Second Floor
Premier Bank v. Consolidated Lumber Company, d/b/a Arrow Building Center	A08-1295	3/10/09	Minnesota Judicial Center, Courtroom 300
State v. Bobo	A07-1688 A08-1201	3/11/09	Minnesota Judicial Center, Courtroom 300
State v. Davis	A07-36	3/04/09	State Capitol Building, Second Floor
State v. Edwards	A07-1012	3/09/09	Minnesota Judicial Center, Courtroom 300
State v. Schlienz	A07-874	3/10/09	Minnesota Judicial Center, Courtroom 300
State, by Pollution Control Agency and Attorney General, Lori Swanson v. Northwestern National Insurance Company	A08-1132	3/11/09	Minnesota Judicial Center, Courtroom 300

**Nonoral**

Carlson v. Bloomington Housing Partners II	A07-1105	3/05/09	
Leake v. State	A08-1596	3/03/09	

**UNIVERSITY OF MINNESOTA LAW SCHOOL – 1:00 P.M.**

**Monday, March 2, 2009**

**En Banc Oral**

LeRoy Bahr,

Appellant,

Mitchell J. Brunfelt

Colosimo, Patchin, Kearney & Brunfelt, Ltd.

301 Chestnut Street

Virginia, Minnesota 55792

vs. A07-1353

Boise Cascade Corporation, a/k/a

Boise Paper Cascade Corporation,

et al.,

Respondents.

John Harper III

Benjamin J. Court

Krass Monroe, P.A.

8000 Norman Center Drive – Suite 1000

Bloomington, Minnesota 55437

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0808/opa071353-0805.pdf>

[summary of issues](#)

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**SUPREME COURT COURTROOM, STATE CAPITOL**

**Tuesday, March 3, 2009**

**En Banc Oral**

Dean Do,

Appellant,

D. Scott Dunham  
D. Scott Dunham, P.A.  
109 Myrtle Street East – Suite 100  
Stillwater, Minnesota 55082

vs. A07-1461

American Family Mutual Insurance  
Company,

Respondent.

Tammy M. Reno  
Brown & Carlson, P.A.  
5411 Circle Down Avenue – Suite 100  
Minneapolis, Minnesota 55416

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0807/opa071461-0708.pdf>

[summary of issues](#)

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**Nonoral**

Pierre Lamont Leake, petitioner,  
Appellant,

Office of the Minnesota State Public Defender  
Mark D. Nyvold  
Special Assistant State Public Defender  
332 Minnesota Street – Suite W-1610  
St. Paul, Minnesota 55101

vs. A08-1596

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 K. Walz  
Assistant County Attorney  
C-2000 Government Center  
300 South Sixth Street  
Minneapolis, Minnesota 55487

Order Hennepin County

[summary of issues](#)

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**SUPREME COURT COURTROOM, STATE CAPITOL**

**Wednesday, March 4, 2009**

**En Banc Oral**

In re: Paul Abbott Company, Inc.,  
Petitioner.

In re: Minnesota Asbestos Litigation

Case No. A08-1105

Richard J. Leighton  
Johnson, Killen & Seiler, P.A.  
800 Wells Fargo Building  
230 West Superior Street  
Duluth, Minnesota 55802

Michael S. Polk  
Michael R. Strom  
Chad C. Alexander  
Shauna M. Verheyen  
Sieben Polk, P.A.  
1640 South Frontage Road – Suite 200  
Hastings, Minnesota 55033

Order Court of Appeals

[summary of issues](#)

State of Minnesota,  
Respondent,

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

Janice S. Kolb  
Mille Lacs County Attorney  
Tara C. Ferguson Lopez  
Mark J. Herzing  
Thomas C. Lopez  
Assistant Mille Lacs County Attorneys  
Courthouse Square  
525 2nd Street S.E.  
Milaca, Minnesota 56353

vs. A07-36

David Michael Davis,  
Appellant.

Chris Allery  
Anishinabe Legal Services  
411 1st Street  
P.O. Box 157  
Cass Lake, Minnesota 56633

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0807/opa070036-0715.pdf>

[summary of issues](#)

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Thursday, March 5, 2009**

**En Banc Oral**

In re Petition for Disciplinary Action against  
Linda A. Brost, a Minnesota Attorney,  
Registration No. 182692.

Case No. A08-1012

Office of Lawyers Professional Responsibility  
Martin A. Cole, Director  
Siama Y. Chaudhary  
Assistant Director  
1500 Landmark Towers  
345 St. Peter Street  
St. Paul, Minnesota 55102-1218

Linda A. Brost  
420 Ohio Street  
St. Paul, Minnesota 55107

Petition for Disciplinary Action

[summary of issues](#)

In re Petition for Disciplinary Action against  
Daniel P. Taber, a Minnesota Attorney,  
Registration No. 108157.

Case No. A08-1524

Office of Lawyers Professional Responsibility  
Martin A. Cole, Director  
Robin J. Crabb  
Assistant Director  
1500 Landmark Towers  
345 St. Peter Street  
St. Paul, Minnesota 55102-1218

Daniel P. Taber  
4944 Knox Avenue South  
Minneapolis, Minnesota 55419

Petition for Disciplinary Action

[summary of issues](#)

**Nonoral**

Brian T. Carlson, et al.,  
Appellants,

Brian T. Carlson  
P.O. Box 406  
Crosslake, Minnesota 56442

vs. A07-1105

Bloomington Housing Partners II,  
Respondent.

Daniel R. Kelly  
Felhaber, Larson, Fenlon & Vogt, P.A.  
220 South Sixth Street – Suite 2200  
Minneapolis, Minnesota 55402

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0808/opa071105-0819.pdf>

[summary of issues](#)

**COURTROOM 300 – MINNESOTA JUDICIAL CENTER**

**Monday, March 9, 2009**

**En Banc Oral**

Charles Ray Barnes, petitioner,  
Appellant,

Michael C. Davis  
332 Minnesota Street – Suite 1610 West  
St. Paul, Minnesota 55101

vs. A07-2090 and A08-1594

State of Minnesota,  
Respondent.

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

James C. Backstrom  
Dakota County Attorney  
Debra E. Schmidt  
Assistant Dakota County Attorney  
1560 Highway 55  
Hastings, Minnesota 55033

Orders Dakota County

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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

Mark A. Ostrem  
Olmsted County Attorney  
Government Center  
151 Fourth Street Southeast  
Rochester, Minnesota 55904-3710

vs. A07-1012

Christopher Edwards,  
Appellant.

Office of the Minnesota State Public Defender  
Rochelle R. Winn  
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/0807/opa071012-0729.pdf>

[summary of issues](#)



**COURTROOM 300 – MINNESOTA JUDICIAL CENTER**

**Tuesday, March 10, 2009**

**En Banc Oral**

State of Minnesota,  
Respondent,

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

Timothy C. Scannell  
Cook County Attorney  
411 West Second Street  
Grand Marais, Minnesota 55604

vs. A07-874

Daniel S. Schlien,  
Appellant.

Office of the Minnesota State Public Defender  
Richard Schmitz  
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/0807/opa070874-0722.pdf>

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T.A. Schifsky & Sons, Inc.,  
Plaintiff,

vs.

Bahr Construction, L.L.C., et al.,  
Defendants,

Consolidated Lumber Company,  
d/b/a Arrow Building Center,  
Respondent,

Premier Bank,  
Appellant,

Larson Contracting, Inc., et al.,  
Intervening Defendants,

and

Premier Bank,  
Appellant,

Katherine M. Melander  
Stephen F. Buterin  
Brian W. Varland  
Coleman, Hull & van Vliet, PLLP  
8500 Normandale Lake Boulevard – Suite 2110  
Minneapolis, Minnesota 55437

vs. A08-1295

Bahr Construction & Contracting, LLC,  
d/b/a Bahr Construction, LLC, et al.,  
Defendants,

Consolidated Lumber Company,  
d/b/a Arrow Building Center, Inc.,  
Respondent.

Harvey N. Jones  
Harvey N. Jones, P.A.  
1350 South Frontage Road  
Hastings, Minnesota 55033

Order Court of Appeals

[summary of issues](#)

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**COURTROOM 300 – MINNESOTA JUDICIAL CENTER**

**Wednesday, March 11, 2009**

**En Banc Oral**

State of Minnesota, by its Pollution Control  
Agency and its Attorney General, Lori Swanson,  
Respondent,

Lori Swanson  
Minnesota Attorney General  
Alan Williams  
Assistant Attorney General  
445 Minnesota Street – Suite 900  
St. Paul, Minnesota 55101-2127

William F. Greaney  
R. Laird Hart  
Bradley Ervin  
Covington & Burling LLP  
1201 Pennsylvania Avenue N.W.  
Washington, D.C. 20004

vs. A08-1132

Evanston Insurance Company, et al.,  
Defendants,

Northwestern National Insurance  
Company of Milwaukee, Wisconsin,  
Appellant.

William M. Hart  
Stacy A. Broman  
Meagher & Geer, P.L.L.P.  
33 South Sixth Street – Suite 4400  
Minneapolis, Minnesota 55402

Stephen D. Straus  
Traub Lieberman Straus & Shrewsbury LLP  
Mid-Westchester Executive Park  
Seven Skyline Drive  
Hawthorne, New York 10532

Order Court of Appeals

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**(Wednesday, March 11, 2009 continued on next page)**

(Wednesday, March 11, 2009 continued)

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  
Donna J. Wolfson  
Assistant County Attorney  
C-2000 Government Center  
300 South Sixth Street  
Minneapolis, Minnesota 55487

vs. A07-1688

De-Aunteze Lavion Bobo,  
Appellant.

Office of the Minnesota State Public Defender  
Bridget Kearns Sabo  
Assistant State Public Defender  
540 Fairview Avenue North – Suite 300  
St. Paul, Minnesota 55104

and

De-Aunteze Lavion Bobo, petitioner,  
Appellant,

vs. A08-1201

State of Minnesota,  
Respondent.

Order Hennepin County

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