

**STATE OF MINNESOTA  
IN SUPREME COURT**

**SUPREME COURT CALENDAR  
OCTOBER 2018**

**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)

**NOTE:** Attorneys who will be arguing cases scheduled on this calendar should complete and return the argument appearance form attached at the end of this calendar.

Attorneys in all cases scheduled for oral argument must check in with the Marshal in the courtroom to which the case is assigned (Capitol or Judicial Center) 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 G. Barry Anderson**  
**Justice David L. Lillehaug**  
**Justice Natalie E. Hudson**  
**Justice Margaret H. Chutich**  
**Justice Anne K. McKeig**  
**Justice Paul C. Thissen**

**En Banc Oral**

	<b><u>Case Number</u></b>	<b><u>Date</u></b>	<b><u>Location</u></b>
Bruton, Jr. v. Smithfield Foods, et al.	A18-0914	10/3/18	State Capitol Building Second Floor
City of Richfield v. Law Enforcement Labor Services, Inc.	A17-1275	10/9/18	Judicial Center, Courtroom 300
Henson, et al. v. Uptown Drink, LLC	A17-1066	10/10/18	Judicial Center, Courtroom 300
In re Petition for Reinstatement of Larry Severson	A17-0895	10/4/18	State Capitol Building Second Floor
Maethner v. Someplace Safe, Inc.	A17-0998	10/1/18	State Capitol Building Second Floor
McBee v. Team Industries, Inc.	A17-0060	10/1/18	State Capitol Building Second Floor
Minnesota Department of Natural Resources v. Chippewa/Swift Joint Board of Commissioners	A18-0201	10/2/18	State Capitol Building Second Floor
Olson, et al. v. One 1999 Lexus	A17-1083	10/3/18	State Capitol Building Second Floor
Soderberg v. Anderson	A17-0827	10/10/18	Judicial Center, Courtroom 300
State v. Atwood	A17-1463	10/9/18	Judicial Center, Courtroom 300
State v. Bowen	A17-0331	10/8/18	Judicial Center, Courtroom 300
State v. Mouelle	A18-0083	10/2/18	State Capitol Building Second Floor
State v. Pakhnyuk	A17-0474	10/8/18	Judicial Center, Courtroom 300

**Nonoral**

Waters, et al. v. Commissioner of Revenue	A18-0580	10/4/18	
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**STATE CAPITOL  
SUPREME COURT COURTROOM, SECOND FLOOR**

**Monday, October 1, 2018**

**En Banc Oral**

Kurt A. Maethner,

Respondent,

Marshall H. Tanick  
Teresa J. Ayling  
Meyer Njus Tanick, PA  
330 Second Avenue South – Suite 350  
Minneapolis, Minnesota 55401

vs. A17-0998

Someplace Safe, Inc.,

Appellant,

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

Jaquelyn Jorud, f/k/a/ Jacquelyn Hanson  
Maethner,

Appellant.

Michael J. Morley  
Morley Law Firm, Ltd.  
400 Garden View Drive – Suite 100  
Grand Forks, North Dakota 58208

John J. Bursh  
Bursch Law PLLC  
9339 Cherry Valley Avenue Southeast – Suite 78  
Caledonia, Michigan 49316

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa170998-021218.pdf>

[Summary of issues](#)

Thaleaha McBee,

Appellant,

Daniel G. Leland  
Ryan T. Conners  
Leland Conners PLC  
120 South Sixth Street – Suite 2050  
Minneapolis, Minnesota 55402

vs. A17-0060

Team Industries, Inc.,

Respondent.

Christopher J. Harristhal  
John A. Kvinge  
Larkin Hoffman Daly & Lindgren LTD.  
8300 Norman Center Drive – Suite 1000  
Minneapolis, Minnesota 55437

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa170060-011618.pdf>

[Summary of issues](#)

**STATE CAPITOL  
SUPREME COURT COURTROOM, SECOND FLOOR**

**Tuesday, October 2, 2018**

**En Banc Oral**

Minnesota Department of  
Natural Resources,

Appellant,

Lori Swanson  
Minnesota Attorney General  
Stacey W. Person  
Joshua Skaar  
Assistant Attorneys General  
445 Minnesota Street – Suite 900  
Saint Paul, Minnesota 55101

vs. A18-0201

Chippewa/Swift Joint Board  
of Commissioners,

Respondent.

Gerald W. Von Korff  
John C. Kolb  
Rinke Noonan  
1015 West Street Germain Street – Suite 300  
Post Office Box 1497  
Saint Cloud, Minnesota 56302

Court of Appeals Order

[Summary of issues](#)

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State of Minnesota,

Respondent,

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
Saint Paul, Minnesota 55101

vs. A18-0083

James Backstrom  
Dakota County Attorney  
Jessica A. Bierwerth  
Anna Light  
Assistant Dakota County Attorneys  
Dakota County Judicial Center  
1560 Highway 55  
Hastings, Minnesota 55033

Vern Jason Mouelle,

Appellant.

Cathryn Middlebrook  
Chief Appellate Public Defender  
Richard Schmitz  
Assistant State Public Defender  
540 Fairview Avenue North – Suite 300  
Saint Paul, Minnesota 55104

Judgment Dakota County

[Summary of issues](#)

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**STATE CAPITOL  
SUPREME COURT COURTROOM, SECOND FLOOR**

**Wednesday, October 3, 2018**

**En Banc Oral**

Claude Bruton, Jr.,

Respondent,

Christopher E. Sandquist  
Sandquist Law Office, LLC  
403 South Broad Street – Suite 50  
Mankato, Minnesota 56001

vs. A18-0914

Smithfield Foods, Inc. and ESIS, Inc.,

Relators.

Andrew M. Grimsrud  
Aafedt, Forde, Gray, Monson & Hager, P.A.  
920 2nd Avenue South – Suite 1400  
Minneapolis, Minnesota 55402

Minnesota Workers' Compensation Court of Appeals

[Summary of issues](#)

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Megan Ashley Olson, et al.,

Respondents,

Charles A. Ramsay  
Daniel J. Koewler  
Ramsay Law Firm, P.L.L.C  
2780 Snelling Avenue North – Suite 330  
Roseville, Minnesota 55113

vs. A17-1083

One 1999 Lexus MN License Plate No. 851LDV  
VIN: JT6HF10U6X0079461,

Appellant.

Ronald Hocevar  
Scott County Attorney  
Todd P. Zettler  
First Assistant Scott County Attorney  
Scott County Justice Center  
200 West Fourth Street – Suite JC340  
Shakopee, Minnesota 55379

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa171083-040218.pdf>

[Summary of issues](#)

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**STATE CAPITOL  
SUPREME COURT COURTROOM, SECOND FLOOR**

**Thursday, October 4, 2018**

**En Banc Oral**

In re Petition for Reinstatement of Larry  
Severson, a Minnesota Attorney, Registration  
No. 0099363

Eric T. Cooperstein  
Law Office of Eric T. Cooperstein, PLLC  
800 Nicollet Mall – Suite 2600  
Minneapolis, Minnesota 55402

A17-0895

Susan M. Humiston  
Director  
Jennifer S. Bovitz  
Senior Assistant Director  
Office of Lawyers Professional Responsibility  
1500 Landmark Towers  
345 Saint Peter Street  
Saint Paul, Minnesota 55102

Petition for Reinstatement

[Summary of issues](#)

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**Nonoral**

Charles Waters, et al.,

Relators,

Charles Waters  
Anita Waters  
Coon Rapids, Minnesota 55433

vs. A18-0580

Commissioner of Revenue,

Respondent.

Lori Swanson  
Minnesota Attorney General  
Wendy S. Tien  
Assistant Attorney General  
445 Minnesota Street – Suite 900  
Saint Paul, Minnesota 55101

Minnesota Tax Court

[Summary of issues](#)

**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, October 8, 2018**

**En Banc Oral**

State of Minnesota,  
Respondent/Cross-Appellant,

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
Saint Paul, Minnesota 55101

Ronald Hocevar  
Scott County Attorney  
Todd P. Zettler  
First Assistant Scott County Attorney  
Scott County Justice Center  
200 West Fourth Street – Suite JC340  
Shakopee, Minnesota 55379

vs. A17-0474

Fedor Pakhnyuk,  
Appellant/Cross-Respondent.

Cathryn Middlebrook  
Chief Appellate Public Defender  
Steven P. Russett  
Assistant State Public Defender  
540 Fairview Avenue North – Suite 300  
Saint Paul, Minnesota 55104

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa170474-010818.pdf>

[Summary of issues](#)

State of Minnesota,  
Respondent,

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
Saint Paul, Minnesota 55101

John Choi  
Ramsey County Attorney  
Peter R. Marker  
Assistant Ramsey County Attorney  
345 Wabasha Street North – Suite 120  
Saint Paul, Minnesota 55102

vs. A17-0331

John Lee Bowen,  
Appellant.

Cathryn Middlebrook  
Chief Appellate Public Defender  
Jenna Yauch-Erickson  
Assistant State Public Defender  
540 Fairview Avenue North – Suite 300  
Saint Paul, Minnesota 55104

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa170331-040218.pdf>

[Summary of issues](#)



**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Tuesday, October 9, 2018**

**En Banc Oral**

City of Richfield,

Respondent,

Marylee Abrams  
Tiffany L. Schmidt  
Abrams & Schmidt LLC  
4707 Highway 61 – Suite 226  
White Bear Lake, Minnesota 55110

vs. A17-1275

Law Enforcement Labor Services, Inc.,

Appellant.

Isaac Kaufman  
Kim Sobieck  
Law Enforcement Labor Services, Inc.  
2700 Freeway Boulevard – Suite 700  
Brooklyn Center, Minnesota 55430

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa171275-040918.pdf>

[Summary of issues](#)

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State of Minnesota,

Respondent,

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
Saint Paul, Minnesota 55101

Travis J. Smith  
Murray County Attorney  
2651 Broadway Avenue  
Slayton, Minnesota 56172

vs. A17-1463

Heath Allen Atwood,

Appellant.

William J. Wetering  
Hedeem Hughes & Wetering  
1206 Oxford Avenue  
Post Office Box 9  
Worthington, Minnesota 56187

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/OPa171463-043018.pdf>

[Summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Wednesday, October 10, 2018**

**En Banc Oral**

David Lee Henson, et al.,

Respondents,

Bernie M. Dusich  
Ryan T. Gott  
Sieben Polk, P.A.  
1640 South Frontage Road – Suite 200  
Hastings, Minnesota 55033

vs. A17-1066

Uptown Drink, LLC,

Appellant,

Steven E. Tomsche  
Beth L. LaCanne  
Tomsche, Sonnesyn & Tomsche, P.A.  
610 Ottawa Avenue North  
Golden Valley, Minnesota 55422

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2017/OPa171066-122617.pdf>

[Summary of issues](#)

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Julie A. Soderberg,

Respondent,

James W. Balmer  
Falsani Balmer Peterson & Quinn  
1200 Alworth Building  
306 West Superior Street  
Duluth, Minnesota 5802

vs. A17-0827

Wilbur W. Fluegel  
Fluegel Law Office  
150 South Fifth Street – Suite 2525  
Minneapolis, Minnesota 55402

Lucas Anderson,

Appellant.

Nathan T. Cariveau  
American Family Insurance  
6131 Blue Circle Drive  
Eden Prairie, Minnesota 55343

John M. Bjorkman  
Larson King, LLP  
2800 Wells Fargo Place  
30 East Seventh Street  
Saint Paul, Minnesota 55101

Opinion Court of Appeals

<https://mn.gov/law-library-stat/archive/ctappub/2018/opa170827-011618%20corrected.pdf>

[Summary of issues](#)

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**NOTICE**

**COUNSEL ARGUING CASES THIS MONTH  
MUST COMPLETE THIS FORM AND  
IMMEDIATELY E-FILE THE DOCUMENT  
VIA E-MACS**

Counsel: Make certain you note in which courtroom, the Capitol or the Judicial Center, the case is scheduled for argument. Effective July 1, 2016, attorneys are required to e-file documents for appeals in all case types. Please e-file this form using Filing Type "Notice" and Filing Subtype "Counsel Arguing Cases." To register for appellate e-filing visit the Clerk of the Appellate Courts' web page at [www.mncourts.gov](http://www.mncourts.gov).

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Case Title: \_\_\_\_\_

Case Number: \_\_\_\_\_

\_\_\_\_\_ representing \_\_\_\_\_

will argue this case before the Minnesota Supreme Court on \_\_\_\_\_ in  
(*please mark which courtroom*) \_\_\_\_\_ State Capitol \_\_\_\_\_ Judicial Center.

Signed: \_\_\_\_\_

Phone number: \_\_\_\_\_

If you have a question related to an upcoming oral argument, please call 651-296-2581. For after-hours emergencies please email: [mjcappellateclerkofcourt@courts.state.mn.us](mailto:mjcappellateclerkofcourt@courts.state.mn.us).

Note: The Minnesota Judicial Branch is committed to providing all people with equal access to the courts. To this end, the Judicial Branch strives to make reasonable accommodations for court users with disabilities consistent with the requirements of the Americans with Disabilities Act (ADA) and Minnesota State Statute 363A.11.

If you or your client will be attending oral argument, have a disability, and anticipate needing an accommodation, please complete an [ADA Accommodation Request form \(PDF form\)](#) and submit it to [mjcappellateclerkofcourt@courts.state.mn.us](mailto:mjcappellateclerkofcourt@courts.state.mn.us).