

STATE OF MINNESOTA
IN SUPREME COURT
No. A25-0157

FILED

February 3, 2025

OFFICE OF
APPELLATE COURTS

Lisa Demuth, et al.,

Petitioners,

v.

Minnesota Secretary of State Steve Simon,

Respondents.

**MOTION OF MELISSA HORTMAN,
JAMIE LONG, AND ATHENA
HOLLINS FOR LEAVE TO FILE
AMICUS CURIAE BRIEF IN SUPPORT
OF RESPONDENT**

Pursuant to Rule 129.01 of the Minnesota Rules of Civil Appellate Procedure, Representatives Melissa Hortman, Jamie Long, and Athena Hollins (“Proposed *Amici*”) respectfully request leave to file an *amicus curiae* brief in the above-captioned matter in support of Respondent Minnesota Secretary of State Steve Simon.

Given the expedited briefing schedule established in the Court’s January 31, 2025 Order, Proposed *Amici* have filed their brief contemporaneously with this motion.

INTEREST AND IDENTITY OF PROPOSED *AMICI CURIAE*.

Proposed *Amici* are duly elected members of the Minnesota House of Representatives. Their interests are both public and private in nature. Proposed *Amici* seek to advance the public interest of ensuring that the business of the Minnesota House of Representatives is conducted in a manner which is consistent with the Minnesota Constitution and applicable laws. Additionally, Proposed *Amici* seek to ensure that their private interests are not impaired by the motions Petitioners seek to bring before the Minnesota House.

POSITION OF PROSPECTIVE *AMICI CURIAE*.

Proposed *Amici* request leave to file a brief supporting Respondent Steve Simon. Proposed *Amici* would argue that the motions which Petitioners seek to bring before the Minnesota House are not proper under the Minnesota Constitution and relevant laws. Specifically, Proposed *Amici* will argue that (1) the separation of powers doctrine precludes the Court from addressing the Petition which asks the Court to determine matters of parliamentary procedure in the Minnesota House; (2) a non-quorum of members cannot take action to compel attendance before the House has organized; (3) the ability of a non-quorum of members to compel the attendance of other members is limited to procedures and penalties previously adopted by the House; and (4) the Minnesota House of representatives has not adopted any such procedures or penalties.

DESIRABILITY OF PARTICIPATION AS *AMICI CURIAE*.

Proposed *Amici*'s perspective will be helpful to the Court in addressing Petitioners' threshold question of whether they are entitled to have their motions heard and decided by less than a quorum of the Minnesota House. Proposed *Amici*'s brief will demonstrate not only that Petitioners' argument lacks merit but also that, if it were to address the issue of pure parliamentary procedure raised in the Petition, the Court would open itself to be called upon to be the arbiter of all manner of political disputes arising in the Minnesota legislature.

CONCLUSION

For all the foregoing reasons, Proposed *Amici* respectfully request the opportunity to participate as *amici curiae* in this matter.

Dated: February 3, 2025

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