

**STATE OF MINNESOTA  
IN SUPREME COURT**

**SUPREME COURT CALENDAR  
OCTOBER 2015**

**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 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 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 Christopher J. Dietzen**  
**Justice David R. Stras**  
**Justice Wilhelmina M. Wright**  
**Justice David L. Lillehaug**  
**Justice Natalie E. Hudson**

**En Banc Oral**

	<b><u>Case Number</u></b>	<b><u>Date</u></b>	<b><u>Location</u></b>
Binkley, Trustee on behalf of the heirs and next of kin of Kirk T. Lloyd, II v. Allina Health System, et al.	A14-0794	10/6/15	William Mitchell College of Law Room 245 – 6:30 p.m.
Dennis v. The Salvation Army and Chesterfield Services, Inc.	A15-0715	10/8/15	Duluth Denfeld High School 9:00 a.m.
In re Discipline of Huff.	A14-0024	10/14/15	Judicial Center, Courtroom 300
J.D. Donovan, Inc., et al. v. Minnesota Department of Transportation, et al.	A14-0863, A14-1021	10/5/15	Judicial Center, Courtroom 300
Rhodes v. State	A13-0560, A15-0136	10/5/15	Judicial Center, Courtroom 300
Sprinkler Warehouse, Inc. v. Systematic Rain, Inc., d/b/a GPLAWN.com, et al.	A14-1121	10/12/15	Judicial Center, Courtroom 300
State v. Horst	A14-1464	10/7/15	Judicial Center, Courtroom 300
State v. Huber	A13-1928	10/7/15	Judicial Center, Courtroom 300
State v. Roberts	A14-2039	10/13/15	Judicial Center, Courtroom 300
Wilcox, et al. v. State Farm Fire and Casualty Company	A15-0724	10/12/15	Judicial Center, Courtroom 300

**Nonoral**

McKenzie v. State	A14-1395	10/13/15
Whitson v. State	C5-02-2108, A04-0875	10/14/15

**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, October 5, 2015**

**En Banc Oral**

J. D. Donovan, Inc., et al.,  
Appellants,

Thomas R. Revnew  
Tara Craft Adams  
Seaton Peters and Revnew, PA  
7300 Metro Boulevard – Suite 500  
Minneapolis, Minnesota 55439

vs. A14-0863, A14-1021

Minnesota Department of  
Transportation, et al.,  
Respondents.

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

Opinion Court of Appeals

<http://mn.gov/lawlib/archive/ctapun/2015/opa140863-020215.pdf>

[Summary of issues](#)

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Thomas Daniel Rhodes, petitioner,  
Appellant,

David T. Schultz  
Jesse D. Mondry  
Maslon, LLP  
3300 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, Minnesota 55402

Julie Jonas  
Marie Wolf  
Innocence Project of Minnesota  
1600 Utica Avenue – Suite 140  
Saint Louis Park, Minnesota 55416

vs. A13-0560, A15-0136

State of Minnesota,  
Respondent.

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

Shane Baker  
Kandiyohi County Attorney  
415 Southwest Sixth Street  
Post Office Box 1126  
Willmar, Minnesota 56201

Order Kandiyohi County

[Summary of issues](#)

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**WILLIAM MITCHELL COLLEGE OF LAW – ROOM 245 – 6:30 P.M.**

**Tuesday, October 6, 2015**

**En Banc Oral**

Melinda M. Binkley, Trustee on behalf  
of the heirs and next of kin of Kirk T.  
Lloyd, II,

Appellant,

Patrick Stoneking  
Robins Kaplan, LLP  
2800 LaSalle Plaza  
800 LaSalle Avenue  
Minneapolis, Minnesota 55402

David E. Wandling  
Wandling Law Group, PC  
5101 Thimsen Avenue – Suite 200  
Minnetonka, Minnesota 55345

vs. A14-0794

Allina Health System, et al.,  
Respondents.

Rebecca Egge Moos  
Charles E. Lundberg  
Jessica L. Klander  
Bassford Remele, PA  
33 South Sixth Street – Suite 3800  
Minneapolis, Minnesota 55402

Opinion Court of Appeals

<http://mn.gov/lawlib/archive/ctappub/2015/opa140794-020915.pdf>

[Summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Wednesday, October 7, 2015**

**En Banc Oral**

State of Minnesota,  
Respondent,

Lori Swanson  
Minnesota Attorney General  
James B. Early  
Assistant Attorney General  
445 Minnesota Street – Suite 1800  
Saint Paul, Minnesota 55101

Shane Baker  
Kandiyohi County Attorney  
415 Southwest Sixth Street  
Post Office Box 1126  
Willmar, Minnesota 56201

vs. A13-1928

Timothy John Huber,  
Appellant.

Julie Loftus Nelson  
Assistant State Public Defender  
Office of the Minnesota State Public Defender  
540 Fairview Avenue North – Suite 300  
Saint Paul, Minnesota 55104

Opinion Court of Appeals

<http://mn.gov/lib/archive/ctapun/2014/opa131928-120814.pdf>

[Summary of issues](#)

State of Minnesota,  
Respondent,

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

John J. Choi  
Ramsey County Attorney  
Karin Long  
Assistant County Attorney  
345 Wabasha Street North – Suite 120  
Saint Paul, Minnesota 55102

vs. A14-1464

Heather Leann Horst,  
Appellant.

Deborah Ellis  
Susan L. Johnson  
Ellis Law Office  
101 East Fifth Street – Suite 2626  
Saint Paul, Minnesota 55101

Judgment Ramsey County

[Summary of issues](#)

**DULUTH DENFELD HIGH SCHOOL – 9:00 A.M.**

**Thursday, October 8, 2015**

**En Banc Oral**

Kelly Dennis,

Respondent,

James A. Batchelor  
Batchelor Law Firm, PA  
333 Washington Avenue North – Suite 300  
Minneapolis, Minnesota 55401

vs. A15-0715

The Salvation Army and Chesterfield  
Services, Inc.,

Relators,

Mark A. Kleinschmidt  
Thomas F. Coleman  
Cousineau McGuire, Chartered  
1550 Utica Avenue South – Suite 600  
Minneapolis, Minnesota 55416

and

HealthEast Physician Services,  
HealthEast St. John's Hospital,  
High Pointe Surgery Center,  
Minnesota Department of Human  
Services/BRS, St. Croix Orthopaedics,  
and Nurse Anesthesia Services, P.A.,  
Intervenors.

Workers' Compensation Court of Appeals

[Summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, October 12, 2015**

**En Banc Oral**

Sprinkler Warehouse, Inc.,  
Respondent,

Clarence J. Kuhn  
The Kuhn Law Firm, PLLC  
5200 Willson Road – Suite 150  
Edina, Minnesota 55424

vs. A14-1121

Systematic Rain, Inc., d/b/a  
GPLAWN.com, et al.,  
Appellants.

Bryan R. Battina  
William K. Forbes  
Trepanier MacGillis Battina, PA  
8000 Flour Exchange Building  
310 Fourth Avenue South  
Minneapolis, Minnesota 55415

Opinion Court of Appeals

<http://mn.gov/lawlib/archive/ctappub/2015/opa141121-020215.pdf>

[Summary of issues](#)

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Brent R. Wilcox, et al.,  
Plaintiffs/Appellants,

T. Joseph Snodgrass  
Shawn M. Raiter  
Paula Duggan Vraa  
Kelly A. Lelo  
Larson King, LLP  
2800 Wells Fargo Place  
30 East Seventh Street  
Saint Paul, Minnesota 55101

vs. A15-0724

State Farm Fire and Casualty Company,  
Defendant/Respondent.

Todd A. Noteboom  
W. Anders Folk  
Jeffrey G. Mason  
Stinson Leonard Street, LLP  
150 South Fifth Street – Suite 2300  
Minneapolis, Minnesota 55402

Certified Question U.S. District Court

[Summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Tuesday, October 13, 2015**

**En Banc Oral**

State of Minnesota,

Respondent,

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

Michael O. Freeman  
Hennepin County Attorney  
Jean Burdorf  
Assistant County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

vs. A14-2039

Ishmael Roberts,

Appellant.

Jessica Merz Godes  
Assistant Public Defender  
Office of the Minnesota State Public Defender  
540 Fairview Avenue North – Suite 300  
Saint Paul, Minnesota 55104

Judgment Hennepin County

[Summary of issues](#)

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**Nonoral**

Rene Julian McKenzie, petitioner,  
Appellant,

Rene Julian McKenzie  
OID # 169631  
Minnesota Correctional Facility – Rush City  
7600 – 525th Street  
Rush City, Minnesota 55069

vs. A14-1395

State of Minnesota,

Respondent.

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

Michael O. Freeman  
Hennepin County Attorney  
Jean Burdorf  
Assistant County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

Order Hennepin County

[Summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Wednesday, October 14, 2015**

**En Banc Oral**

In re Petition for Disciplinary Action  
against Robert Andrew Huff, a  
Minnesota Attorney, Registration  
No. 283502.

Case No. A14-0024

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

Robert Andrew Huff  
3105 North Ashland – Suite 320  
Chicago, Illinois 60657

Petition for Discipline

[Summary of issues](#)

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**Nonoral**

Vidale L. Whitson, petitioner,  
Appellant,

Vidale L. Whitson  
OID # 154856  
Minnesota Correctional Facility – Stillwater  
970 Pickett Street North  
Bayport, Minnesota 55003

vs. C5-02-2108, A04-0875

State of Minnesota,  
Respondent.

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

Mark S. Rubin  
Saint Louis County Attorney  
Gary W. Borklund  
Assistant County Attorney  
100 North Fifth Avenue West – Suite 501  
Duluth, Minnesota 55802

Order St. Louis County

[Summary of issues](#)

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# NOTICE

## COUNSEL ARGUING CASES THIS MONTH MUST COMPLETE THIS FORM AND IMMEDIATELY RETURN TO:

Supreme Court Marshal  
305 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul MN 55155

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

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

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

will argue this case before the Minnesota Supreme Court on \_\_\_\_\_.

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

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

If you have an after-hours emergency related to an upcoming oral argument, please call or text 651-274-1840 to contact the Supreme Court Marshal.

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 [kim.ghilardi@courts.state.mn.us](mailto:kim.ghilardi@courts.state.mn.us)