

STATE OF MINNESOTA
IN SUPREME COURT

A09-697

OFFICE OF
APPELLATE COURTS

APR 24 2009

FILED

In the Matter of the Contest of
General Election held on November 4, 2008,
for the purpose of electing a United States
Senator from the State of Minnesota

Cullen Sheehan and Norm Coleman,

Appellants,

vs.

Al Franken,

Respondent.

ORDER

On Monday, April 20, 2009, appellants Cullen Sheehan and Norm Coleman filed a notice of appeal from the judgment entered by the three-judge panel in Ramsey County District Court in the above-referenced election contest. On Tuesday, April 21, 2009, respondent Al Franken filed and served a motion for expedited briefing and proposed a particular briefing schedule; appellants filed a written response and proposed briefing schedule on Wednesday, April 22.

The time for appeal by other parties expired on Thursday, April 23, 2009, and no other appeals have been filed. In accordance with Minn. Stat. §§ 209.09, subd. 2, 209.10, subd. 4, and 209.12 (2008), the appeal shall proceed on an expedited basis.

Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Ramsey County District Court shall certify and file the record on appeal with the Clerk of Appellate Courts as expeditiously as possible, but in no event later than 15 days after the service of the notice of appeal on April 20, 2009.

2. Appellants shall serve and file their brief not later than Thursday, April 30, 2009; respondent shall serve and file his brief not later than Monday, May 11, 2009. Appellants may serve and file a reply brief not later than Friday, May 15, 2009. Briefs and appendices shall comply with the requirements of Minn. R. Civ. App. P. 128.02-.04, 130, 131.03, and 132.01. Briefs must be received by the Clerk of Appellate Courts by the deadlines noted to be timely filed.

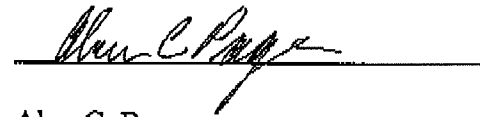
3. Service by mail is permissible if a complete copy of the material is also transmitted to opposing counsel by e-mail or facsimile by the deadlines imposed herein. Each party shall notify the Clerk of Appellate Courts and opposing counsel of an e-mail address or facsimile number to which documents may be transmitted.

4. The court will hear argument on this matter commencing at 9:00 a.m., Monday, June 1, 2009, in Courtroom 300, Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King, Jr., Boulevard, Saint Paul. Argument will proceed in accordance with the applicable provisions of Minn. R. Civ. App. P. 134.

5. Respondent's motion for expedited briefing is otherwise denied.

Dated: April 24, 2009

BY THE COURT:

A handwritten signature in cursive script, appearing to read "Alan C. Page", is written over a solid horizontal line.

Alan C. Page
Associate Justice

MAGNUSON, C.J., and ANDERSON, G. Barry, J., took no part in the consideration or decision of this matter.