

**STATE OF MINNESOTA
COUNTY OF RAMSEY**

**DISTRICT COURT
SECOND JUDICIAL DISTRICT**

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

District Court File No. 62-CV-09-56

Cullen Sheehan and Norm Coleman,

ORDER

Contestants,

vs.

Al Franken,

Contestees,

Dennis Peterson, et. al.,

Petitioners,

Supreme Court File No. A09-65

vs.

Mark Ritchie, Minnesota Secretary of State, et. al.,

Respondents.

This action came on for a court trial before the Honorable Elizabeth A. Hayden, the Honorable Kurt J. Marben, and the Honorable Denise D. Reilly, District Court Judges, beginning on January 26, 2009 and ending on March 13, 2009.

Having considered the testimony and evidence adduced at trial, the exhibits admitted into evidence, the pleadings, briefs and memoranda submitted by all the parties, and the arguments of counsel, the Court now makes the following:

ORDER

1. Petitioners filed a Petition pursuant to Minnesota Statute section 204B.44 with the Minnesota Supreme Court on January 13, 2009. On January 16, 2009, the Minnesota Supreme Court issued an order granting Norm Coleman's motion to intervene in

Petitioners' proceeding and further directing the Petition to this Court for consideration and decision within the current election contest.

2. Pursuant to the Court's Order Granting in Part and Denying in Part Petitioners' Motion for Summary Judgment (Feb. 10, 2009), Nunc Pro Tunc Order Correcting Order Granting in Part and Denying in Part Petitioners' Motion for Summary Judgment (Feb. 10, 2009), Order on Intervenor's Rule 60.02 Motion to Vacate Judgment (Mar. 2, 2009), Order Granting in Part and Denying in Part Petitioners' Renewed Motion for Summary Judgment (Mar. 11, 2009), and Order Granting Petitioners' Second Renewed Motion for Summary Judgment and Amending Order Granting in Part and Denying in Part Petitioners' Renewed Motion for Summary Judgment Dated March 11, 2009 (Mar. 31, 2009), the Court granted summary judgment with respect to the following Petitioners:

- Brenda Rengo, Carlton County
- Shirley VanDyck, Cass County
- Douglas Stange, Crow Wing County
- Jennifer Bartholomay, Dakota County
- Laurence Engebretson, Dakota County
- Kim Falde, Dakota County
- Caitlin Heinz, Dakota County
- Katie Kaszynski, Dakota County
- Leona Quinlan, Dakota County
- Thomas Quinlan, Dakota County
- Charles Quinn, Dakota County
- Gerald Ratzlaff, Dakota County
- Joan Ratzlaff, Dakota County
- Roxanna Saad, Dakota County
- Arvid Blackbird, Dakota County
- Jordan Brandt, Hennepin County
- Kourtney Dropps, Hennepin County
- Greg McCool, Hennepin County
- Rebekah Nelson, Hennepin County
- Karen Robitz, Hennepin County
- Todd Toner, Hennepin County
- Debra Kay Erickson, Kittson County
- Christopher Ludvigson, Lac Qui Parle County

- Hubert Redepenning, Lac Qui Parle County
 - Eila Nelson, Lake County
 - Richard Haefner, Olmsted County
 - Judith Conlow, Pine County
 - Emma Bruggeman, Ramsey County
 - Josephine Garcia, Ramsey County
 - Sophia Hall, Ramsey County
 - Tempest Moore, Ramsey County
 - Walter Thompson, Ramsey County
 - Mary Bell, Saint Louis County
 - Lora West, Stearns County
 - Ross Grandlienard, Washington County
 - Ryan Stoa, Winona County
3. On March 31, 2009, the Court issued an Order for Delivery of Ballots to Office of the Minnesota Secretary of State for Review by the Court. The Petitioners listed above were identified in the Court's March 31, 2009 Order.
 4. On April 7, 2009, the Court ordered the absentee ballot return envelopes of voters identified in an attached exhibit to be opened and counted by the Office of the Secretary of State in open court and the totals included in the results of the 2008 United States Senate election reported by the Minnesota Secretary of State. With one exception, the ballots of the individuals listed above were opened, sorted and counted by the Office of the Secretary of State in open court on April 7, 2009, pursuant to the Court's March 31, 2009 and April 7, 2009 Orders.¹
 5. With respect to the Petitioners not expressly identified herein, the Court has not been presented with sufficient individualized evidence in support of Petitioners' claims. The Petition with respect to those individuals is accordingly DISMISSED.
 6. Any request for relief in these proceedings not specifically granted herein is denied.

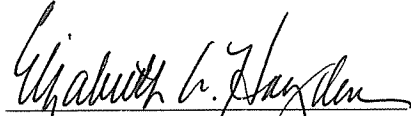
There being no just reason for delay,

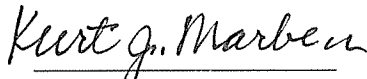
LET JUDGMENT BE ENTERED ACCORDINGLY.

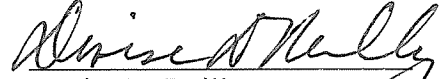
¹ The absentee ballot return envelope of Roxanna Saad of Dakota County was not opened and counted on April 7, 2009, after the Court determined Ms. Saad failed to fully complete a voter registration application.

Dated: April 10, 2009.

BY THE COURT:


Elizabeth A. Hayden
Judge of District Court


Kurt J. Marbern
Judge of District Court


Denise D. Reilly
Judge of District Court