

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
FIRST JUDICIAL DISTRICT
Case type: Other-Civil

Dr. Scott Jensen,

Court File No. 10-CV-23-565

Plaintiff,

v.

Keith Ellison, in his official capacity as
responsible authority for the Office of the
Minnesota Attorney General;

**AMENDED
STIPULATION AND ORDER FOR
BRIEFING SCHEDULE**

Office of the Minnesota Attorney General,

Defendants.

Plaintiff, Dr. Scott Jensen, has initiated this action pursuant to Minn. Stat. § 13.08 of the Minnesota Government Data Practices Act (“MGDPA”), Minn. Stat. §§ 13.01-.90 (2022), against Defendants, the Office of the Minnesota Attorney General and Keith Ellison in his official capacity as the responsible authority thereof. The Parties certify that they have conferred pursuant to Minn. R. Gen. Prac. 115.10 and have narrowed the scope of disputed issues and data requiring the Court’s disposition. The Parties hereby stipulate that the Court may set a briefing schedule for the October 17, 2023, hearing.

THEREFORE, it is hereby stipulated and agreed, by and between the parties and through their respective counsel, that the Court may order the following submissions, deadlines, and guidelines for the scheduled hearing:

1. On or before **August 18, 2023**, Defendants shall publicly file and serve:
 - a. A motion regarding how the Court should rule on whether disputed documents were properly withheld by Defendants and whether any of Plaintiff’s claims fail as a matter of law;

- b. A memorandum of law explaining Defendants' positions;
 - c. A proposed order indicating how the Court should rule;
 - d. Affidavits supporting Defendants' positions, to include an attached log which:
 - i. Describes the documents withheld and the statutory basis/bases for withholding; and
 - ii. Identifies documents whose contents were already produced to Plaintiff in duplicate or partial form.
 - e. On or before **August 18, 2023**, Defendants shall provide to the Court, *ex parte* and for *in camera review*, an affidavit which attaches:
 - i. Copies of the data withheld from Plaintiff; and
 - ii. Copies of the data provided by the AGO to Plaintiff in response to his data request, excluding documents provided on an inspection-only basis.
2. On or before **September 18, 2023**, Plaintiff shall publicly file and serve:
- a. A motion regarding how the Court should rule;
 - b. A memorandum of law explaining Plaintiff's positions;
 - c. A proposed order indicating how the Court should rule;
 - d. An affidavit, if necessary, supporting Plaintiff's position.
3. On or before **October 2, 2023**, Defendants shall publicly file and serve:
- a. A reply memorandum; and
 - b. Any necessary affidavit(s).
4. On or before **October 9, 2023**, Plaintiff may publicly file and serve:
- a. A surreply memorandum limited in scope to any new issues raised in Defendants' October 2 submissions; and
 - b. Any necessary affidavit(s).
5. The Parties' memoranda shall be limited to cumulative totals of 12,000 words for Plaintiff and 12,000 words for Defendants.

6. Notwithstanding any provision of the MGDPA, public filings submitted pursuant to this Order may disclose not public data as necessary for the Court's resolution of the matter.

FOR THE PLAINTIFF:

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FOR DEFENDANTS:

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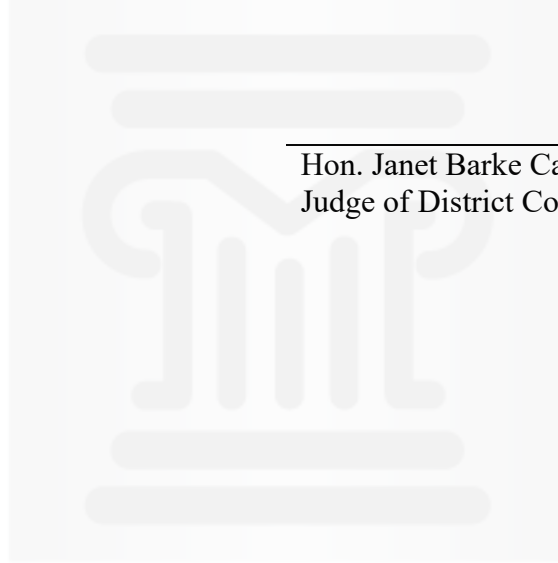
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ORDER

The Court adopts the foregoing Stipulation in full. It is so ordered.

DATED:

BY THE COURT



Hon. Janet Barke Cain
Judge of District Court

MINNESOTA
JUDICIAL
BRANCH