

STATE OF MINNESOTA

IN SUPREME COURT

A06-1871

OFFICE OF  
APPELLATE COURTS

OCT 23 2006

FILED H

Tim Breza, Larry Buboltz,  
Dan Dorman, Morrie Lanning,  
Michael Lang, Keith Langseth,  
Jerry Miller, H. Dan Ness,  
Tom Rukavina, Kathy Serva,  
Eric Sorensen, Mark Voxland,  
Lauri Winterfeldt-Shanks,

Petitioners,

vs.

**MOTION  
FOR LEAVE TO FILE  
PETITIONERS'  
SUPPLEMENTAL APPENDIX**

Mary Kiffmeyer, Minnesota  
Secretary of State,

Respondent.

Douglas Peine  
Atty. Reg. No. 84979  
2460 Beverly Road  
St. Paul, Minnesota 55104  
612.308.0014

ATTORNEY FOR PETITIONERS

Pursuant to Appellate Rule 127, Petitioners hereby move the Court for leave to file the attached Supplemental Appendix. This motion is made on the basis of the following:

1. This matter was commenced by a Petition pursuant to Minnesota Statutes 204B.44 asking the Court to enjoin an election on a ballot question concerning amendment of Article XIV of the Minnesota Constitution.

2. Petitioners allege that the ballot question is misleading and deceptive.

3. As a part of Petitioners' proof of this allegation, we have attached to our memoranda several newspaper, radio, and television news stories about the amendment.

4. Since our last Memorandum filed on October 17<sup>th</sup>, six additional media stories have come to our attention which bear on the issue, including one in today's StarTribune.

5. Those stories are attached in the proposed Petitioners' Supplemental Appendix.

6. Oral argument is scheduled for this Wednesday, October 25<sup>th</sup>. Rather than simply bring these articles to the oral argument, we have sought to better serve the Court and the parties by filing this motion today.

7. For these reasons, we ask the Court for leave to file the Supplemental Appendix.

DATED: 10/23/06

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Douglas Peine', written in a cursive style.

Douglas Peine  
Atty.Reg.No. 84979  
2460 Beverly Road  
St. Paul, Minnesota 55104  
612-308-0014

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The appendix to this brief is not available for online viewing as specified in the *Minnesota Rules of Public Access to the Records of the Judicial Branch*, Rule 8, Subd. 2(e)(2) (with amendments effective July 1, 2007).