

**FILED**

August 30, 2011

**OFFICE OF  
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

A11-1222

State Senator Warren Limmer, et al.,

Petitioners,

vs.

Lori Swanson, in her official capacity as  
Attorney General, et al.,

Respondents,

League of Minnesota Cities, et al.,

Intervenors.

**O R D E R**

On July 8, 2011, petitioners filed a petition for writ of quo warranto challenging the authority of the Ramsey County District Court to authorize expenditures by any executive branch agency in the absence of legislative appropriations, as well as the authority of the Attorney General to seek authorization for such expenditures and the authority of the Commissioner of the Minnesota Department of Management and Budget to make payments as authorized by the district court. The matter was fully briefed on the merits.

On July 19, 2011, the Legislature passed appropriations bills for all state agencies (except for the Department of Agriculture, appropriations for which were passed before the end of the state's fiscal year); the appropriations bills were signed into law on July 20, 2011. Each appropriations bill passed on July 19 is retroactive to July 1, 2011, "and supersedes and replaces funding authorized by" the Ramsey County District Court.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Any party may file with the Clerk of Appellate Courts and serve upon all other parties, within 30 days of the filing of this order, a memorandum of law and any supporting documents not already of record showing cause, if any there be, why this matter should not be dismissed as moot.
2. Any party may file and serve a response within 15 days of service of the memoranda filed under paragraph 1 of this order.
3. All filings shall be in the form provided in Minn. R. Civ. App. P. 132.02, except that text and footnotes shall appear in at least 13-point type or its equivalent. An original and 11 copies of all papers shall be filed.
4. Because time is no longer of the essence, parties shall file by personal delivery or postal mail.
5. If the court wishes to hear oral argument on the question of mootness or on the merits of the petition, the parties will be advised of the date, time, and place of the hearing.

6. The motion of Minnesota Voters Alliance to accept its late-filed motion to intervene be, and the same is, denied.

Dated: August 30, 2011

BY THE COURT:

/s/

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Lorie S. Gildea  
Chief Justice