

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Dr. Jane Doe; Mary Moe; First Unitarian
Society of Minneapolis and Our Justice,

Case Type: Civil Other/Misc.
Court File No. 62-CV-19-3868
Judge Thomas Gilligan, Jr.

Plaintiffs,

v.

State of Minnesota, et al.,

Defendants,

and

Pro-Life Action Ministries, Incorporated, and
Association for Government Accountability,

Proposed
Defendant-Intervenors.

**NOTICE OF MOTION AND MOTION
TO APPROVE LIMITED
INTERVENTION TO ASSERT
DEFENSE OF LACK OF PRIVATE
CAUSE OF ACTION**

TO: Dr. Jane Doe, Mary Moe, First Unitarian Society of Minneapolis and Our Justice, through their counsel Christy L. Hall, Jessica Braverman, Ashlynn M. Kendzior, Gender Justice, 200 University Avenue West, Ste. 200, St. Paul MN 55103, Amanda Allen, Juanluis Rodriguez, Lawyering Project, 25 Broadway, Fl. 9, New York NY 10004, Dipti Singh, Lawyering Project, 3371 Glendale Blvd., No. 320, Los Angeles CA 90039, and State of Minnesota through its counsel, Liz Kramer, Solicitor General, Jacob Campion and Kathryn Iverson Landrum, Assistant Attorneys General, 445 Minnesota Street, Suite 1100, St. Paul MN 55101.

NOTICE OF MOTION

PLEASE TAKE NOTICE that PLAM and AGA will, through their counsel, on the 23rd day of January, 2020, at 9:00 a.m. or as soon thereafter as counsel may be heard, before the Honorable Thomas Gilligan, Jr. of the Minnesota District Court, at the Ramsey County Courthouse, located at 15 Kellogg Boulevard West, City of Saint Paul, State of Minnesota, bring for hearing the following motion:

MOTION

Pro-Life Action Ministries, Incorporated (PLAM), a Minnesota non-profit corporation, and Association for Government Accountability (AGA), a Minnesota association, hereby make this motion to approve limited intervention to assert the defense of lack of private cause of action. The forthcoming memorandum, declaration and proposed Answer will demonstrate the reasons for the claim of entitlement to intervention, pursuant to Minn. R. Civ. P. 24.03. These motion papers will set forth the nature and extent of the defense of lack of private cause of action as to which intervention is sought:

The Complaint's claims which are all based on violations of the Minnesota Constitution should be dismissed for lack of a private cause of action.

The Motion will be based upon all of the files, records, and proceedings herein, including but not limited to a memorandum of law, and affidavits filed in accord with Rule 115.04 of the General Rules of Practice.

Dated: November 25, 2019.

MOHRMAN, KAARDAL & ERICKSON, P.A.

/s/ Erick G. Kaardal
Erick G. Kaardal, 229647
150 South Fifth Street, Suite 3100
Minneapolis, Minnesota 55402
Telephone: 612-341-1074
Facsimile: 612-341-1076
Email: kaardal@mklaw.com

Attorneys for the Proposed Intervenor

ACKNOWLEDGMENT

The undersigned hereby acknowledges that costs, disbursements and reasonable attorney and witness fees may be awarded pursuant to Minn. Stat. §549.211, Subd. 3, to the party against whom the allegations in this pleading are asserted.

Dated: November 25, 2019

/s/ Erick G. Kaardal
Erick G. Kaardal