

May 29, 2009

2780 Snelling Avenue North  
Suite 330  
Roseville, MN 55113

The Honorable Donovan W. Frank  
United States District Court  
724 Federal Building  
316 North Robert Street  
St. Paul, MN 55101

RE: State of Minnesota, by Michael Campion, its Commissioner of Public Safety and Robert J Bergstrom, Craig A. Zenobian, Shane M. Steffensen, Christopher D. Jacobsen v. CMI of Kentucky, Inc.  
U.S.D.C File No. 0:08-cv-00603-DWF-AJB

Dear Judge Frank:

I am writing regarding the pending Cross-Motions of the State and CMI for Partial Summary Judgement in this case, which is set for oral arguments before Your Honor on June 4, 2009.

Unfortunately, I began a Jury trial on a Felony 24 year old murder cold case on May 18, 2009 in Fillmore County before the Honorable Robert Benson (*State v. Nissalke*, Winona County Court File No.: 85-CR-08-1884, which is currently venued in Fillmore County). I will be in this trial June 4, 2009, which is expected to last through the month of June, 2009.

I will be arguing on behalf of the Plaintiffs-Intervenor's position on the Cross-Motions currently scheduled for June 4, 2009. I made a request of the Honorable Robert Benson to allow a recess during the Fillmore County trial to allow my attendance to argue the Cross-Motions currently set before Your Honor on June 4, 2009. In response to my request of Judge Benson, he instructed me to request a continuance of the hearing set for June 4, 2009. In accordance with Judge Benson's directive, I now respectfully request that oral arguments on the pending Cross-Summary Judgement Motions be continued to a date after the completion of the murder trial.

I apologize for any inconvenience this may cause, and sincerely appreciate Your Honor's indulgence

Sincerely,

CHARLES A. RAMSAY & ASSOCIATES, P.L.L.C.

S/Charles A. Ramsay

Charles A. Ramsay, Attorney ID #260277  
Attorney at Law

cc: Counsel of Record in accordance with ECF