



Minnesota State Bar Association
Continuing Legal Education
Your State Bar at Work for You

How to Litigate the Civil Case in Minnesota

A practical, information-packed seminar on trial practice and procedure in Minnesota state court.

Thursday, October 22, 2009
Minnesota CLE Conference Center
Seventh Street & Nicollet Mall
Third Floor City Center, Minneapolis

Video replay details inside.



Special Seminar Feature:

Seminar tuition includes the new *Minnesota State District Court Civil Practice Deskbook*. If you already own this Deskbook, see inside for a tuition discount.

A practical, fast-paced course giving you the “rules of the road” for bringing or defending a civil case in Minnesota state district court.

Key Procedural Issues, Answers and Practice Tips

This fast-paced seminar covers the key procedural issues facing civil litigators in Minnesota state court: choice of forum, effective and valid pleadings, discovery, motion practice, preparing jury instructions, post-trial procedure and motions, and much more. This course is designed to provide accurate procedural solutions and practice tips to increase the effectiveness of your litigation practice.

Fast-Paced Format

The seminar features 14 sessions on important procedural issues. It includes four question-and-answer sessions allowing follow-up to the presentations just given. From beginning to end, you will enjoy and learn from these short, practical course segments.

One-of-a-Kind Course Materials – Your Tuition Includes the New “Must-Have” Deskbook for Minnesota Civil Litigators—a \$185 Value!

All seminar attendees receive the *Minnesota State District Court Civil Practice Deskbook* (and previous purchasers can elect, instead, to receive a tuition reduction). The *Deskbook* is an indispensable guide with more than 700 pages in 21 detailed chapters – full of practice tips, judicial commentary, ethics notes, and the relevant cases, statutes and rules analyzed and applied. Whether you’re evaluating a case, preparing for a hearing, writing a brief, preparing for trial, or searching for information on the many other civil practice issues that arise when you’re handling a case before a Minnesota state district court, this new *Deskbook* is an invaluable resource. Practice tips, judicial commentary and ethics notes make the law come alive. And it’s easy to use, helping you find what you need, when you need it.



Seminar tuition includes Deskbook.
If you already own this Deskbook, see
registration form for discount.

Seminar Schedule

8:15 – 8:45 a.m.
CHECK-IN & CONTINENTAL BREAKFAST

8:45 – 8:50 a.m.

Welcome

8:50 – 9:00 a.m.

Program Overview

- *Keith S. Moheban*
Course Co-Chair
Leonard, Street and Deinard; Minneapolis
- *Kenneth R. White*
Course Co-Chair
Law Office of Kenneth R. White, Mankato

9:00 – 9:30 a.m.

Matters Preliminary to Suit

- Plan for resolution
- Choice of state or federal forum (jurisdictional questions, practical concerns)
- Choice of parties
- Venue
- Demand letters, tolling agreements
- *Paul M. Floyd*
Wallen-Friedman & Floyd, P.A.;
Minneapolis

9:30 – 10:00 a.m.

Complaints & Service of Process

- What the rules require
- Form of pleadings
- Pleading special matters
- Signing and sanctions
- How may process be served (rules and statutes allowing service, tactical aspects selecting method of service)
- Filing
- Current law regarding long-arm jurisdiction
- *Wilbur W. Fluegel*
Fluegel Law Office; Minneapolis

10:00 – 10:30 a.m.

Answers, Counter and Cross Claims & Amendment of Pleadings

- What the rules require
- Defenses and objections – when and how
- Counterclaims & cross claims
- Amendment of pleadings – when and how to
- *Paul W. Wojciak*
Johnson, Killen & Seiler, P.A.; Duluth

10:30 – 10:40 a.m.

Questions & Answers

10:40 – 10:55 a.m.
BREAK

10:55 – 11:10 a.m.

Removal of Judges

- Rules and practical considerations
- *David R. Crosby*
Leonard, Street and Deinard; Minneapolis

11:10 – 11:25 a.m.

Informational Statements

- Timing
- Joint v. individual filing
- Content
- *Sarah L. Brew*
Halleland Lewis Nilan Johnson, P.A.;
Minneapolis

11:25 a.m. – 12:00 p.m.

Discovery Practice – Rules & Timing

- Discovery schedules and extensions
- Types of discovery
- Form and timing of requests
- Form and timing of responses
- Permissible objections
- Motions to compel, sanctions
- *Juan M. Avila*
McCollum Crowley; Minneapolis

12:00 – 12:15 p.m.

Questions & Answers

12:15 – 1:15 p.m.

LUNCH (ON YOUR OWN)

1:15 – 1:30 p.m.

Rule 68 Offers of Judgment

- Making and accepting offers
- Cost-shifting
- *Deborah Causey Eckland*
Goetz & Eckland P.A.; *Minneapolis*

1:30 – 2:00 p.m.

Motions – Dispositive & Non-Dispositive

- Formal requirements applicable to papers filed in support of, or in opposition to, a motion
- Service and filing of motion papers
- Oral argument
- Reconsideration
- *Gregory R. Merz*
Gray Plant Mooty; Minneapolis

2:00 – 2:30 p.m.

Pretrial Preparations

- Pretrial submissions required by rule or typical court order
- Logistical preparations
- *Larry D. Espel*
Greene Espel P.L.L.P.; Minneapolis

2:30 – 2:45 p.m.

Questions & Answers

2:45 – 3:00 p.m.

BREAK

3:00 – 3:15 p.m.

Jury Selection

- The rules
- The process
- *Kenneth R. White*

3:15 – 3:45 p.m.

Evidence – Before & At Trial

- Motions in limine
- At trial – getting evidence in: examination and cross-examination, and exhibits
- *Keith S. Moheban*

3:45 – 4:00 p.m.

Opening & Closing Statements

- Permissible and prohibited content
- Time limits
- Order
- *Michael R. Fargione*
Legal Aid Society of Minneapolis;
Minneapolis

4:00 – 4:15 p.m.

Jury Instructions

- JIG and other prepared instructions
- Relationship to verdict form and trial brief
- *Kenneth R. White*

4:15 – 4:45 p.m.

Verdicts, JMOL, Post Trial Procedures & Motions

- Including preserving the right to appeal
- *Kay Nord Hunt*
Lommen Abdo; Minneapolis

4:45 – 5:00 p.m.

Questions & Answers

Course Information

LIVE PRESENTATION

Minneapolis –

Thursday, October 22, 2009

Minnesota CLE Conference Center
Seventh Street & Nicollet Mall
Third Floor City Center

VIDEO REPLAYS

Schedule times are subject to change due to abbreviated lunch and break periods. Start times are as indicated below. Please register at least one week in advance to secure your copy of the course materials on the day of the seminar.

Minneapolis – 11/9/09

(Registration 8:30; Replay 9:00)

Minnesota CLE Conference Center
Seventh Street & Nicollet Mall
Third Floor City Center

Minneapolis – 11/24/09

(Registration 8:30; Replay 9:00)

Minnesota CLE Conference Center
Seventh Street & Nicollet Mall
Third Floor City Center

Duluth – 3/19/10

(Registration 8:30; Replay 9:00)

Radisson Hotel Duluth—Harborview
505 West Superior Street

Moorhead – 12/9/09

(Registration 9:00; Replay 9:15)

Moorhead City Hall
City Mall, Basement Room East

CREDITS

Minnesota CLE is applying to the Minnesota State Board of CLE for **6.5 hours of CLE credit**.

CANCELLATION/NO-SHOW POLICY

Paid registrants who cancel their registration at least 72 hours before the program will receive a full credit on their account; if fewer than 72 hours, a \$25 administrative fee will be deducted. Paid registrants who fail to attend will receive the written materials. Passholders may purchase the course materials at 50% of the full retail price.

ACCOMMODATION

If you have a disability and need an accommodation in order to attend this seminar, please contact us as soon as possible or at least one week in advance of the program. For further information or assistance, contact Minnesota CLE at 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call us at 651-227-8266 or 800-759-8840.

QUESTIONS?

Please call Minnesota CLE at **651-227-8266** or **800-759-8840** or visit us online at www.minncle.org.

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PLEASE "✓" APPROPRIATE BOX BELOW:

LIVE – 10/22/09:

- \$345 MSBA member \$345 paralegal \$395 standard

VIDEO REPLAY:

- \$315 MSBA member \$315 paralegal \$365 standard

Location _____ Date _____

NEW ATTORNEY DISCOUNT!

- I was first admitted to the bar after October 22, 2006 and have deducted \$60 from the registration fee marked above.

PREVIOUS PURCHASER DISCOUNT

- I already own the *1st edition Minnesota State District Court Civil Practice Deskbook*. I do not need another copy and am subtracting \$100 from the tuition above.

I have a Minnesota CLE Season PassSM. Pass # _____

Check here if address below is new.

Name (first) _____ (mi) _____
_____ (last) _____

Firm _____

Address _____

City/State/Zip _____

Phone _____ Fax _____

Email _____

Attorney License No. (if applicable) _____

Profession, if non-attorney _____

To Register:



MAIL TO:

Minnesota CLE
2550 University Ave. W
Suite 160-S
St. Paul, MN 55114



OR FAX TO:

Minnesota CLE at
651-227-6262



OR GO ONLINE:

www.minncle.org



OR CALL:

Minnesota CLE at
651-227-8266 or
800-759-8840

Can't Attend? Get the Program Materials!

I cannot attend. Please send me:
_____ copy(ies) of the *1st edition Civil Practice Deskbook* at \$185 each.

Cost of book(s) \$ _____

Shipping/Handling \$ _____

Subtotal \$ _____

Tax \$ _____

TOTAL \$ _____

COST OF ITEM(S)	S & H
\$25.01 – 50	\$6
\$50.01 – 75	\$7
\$75.01 – 100	\$8
\$100.01 – 150	\$9
\$150.01 – 250	\$12
\$250.01 +	\$15

Expedited shipping available

TAX ON SUBTOTAL

Pick the appropriate tax based on where the book is received.

Minneapolis, MN	7.775%
Saint Paul, MN	7.625%
Hennepin Co. (outside Mpls.)	7.275%
Ramsey Co. (outside St. Paul)	7.125%
Anoka, Dakota, Washington Co. ..	7.125%
All other MN	6.875%
Outside MN	exempt

ENCLOSED IS \$ _____ BY:

- Check (payable to Minnesota CLE)
 VISA MasterCard Discover AmEx

Card No. _____ Exp. _____

Signature _____