

**STATE OF MINNESOTA  
IN COURT OF APPEALS**

**FILED**

February 1, 2017

**OFFICE OF  
APPELLATE COURTS**

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Tiffini Flynn Forslund, et al.,

Appellants,

vs.

State of Minnesota, et al.,

Respondents,

St. Paul Public Schools, et al.,

Defendants.

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**ORDER**

#A17-0033

**BASED ON THE FILE, RECORD, AND PROCEEDINGS, AND BECAUSE:**

1. The Freedom Foundation of Minnesota, the National Council on Teacher Quality and TNTP, Inc., and Ed Allies request leave to file briefs as amici curiae pursuant to Minn. R. Civ. App. P. 129.01. There have been no responses to the motions. It appears that these applicants are most closely aligned with appellants.

2. The American Federation of Teachers, AFL-CIO and the National Education Association, ISALAH, TakeAction Minnesota, Minnesota Neighborhoods Organizing for Change, Centro de Trabajadores Unidos en Lucha, Education Minnesota, and Minnesota Association of Secondary School Principals request leave to file briefs as amici curiae pursuant to Minn. R. Civ. App. P. 129.01. There have been no responses to the motions. It appears that these applicants are most closely aligned with respondents.

3. The appeal was filed on January 9, 2017 and the requests are timely. *See* Minn. R. Civ. App. P. 129.01 (requiring that amicus application be served and filed within 15 days after filing of appeal).

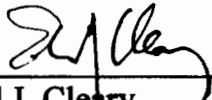
4. The purpose of an amicus brief is to inform the court of facts or matters of law that may have escaped its consideration, not to repeat or emphasize arguments already put forth by a party. 3 Eric J. Magnuson et al., *Minnesota Practice* § 129.3 at 715 (2015). It is the practice of this court “to freely grant amicus applications to ensure the development of a more complete appellate record,” which may aid the Minnesota Supreme Court, when deciding whether to grant further review. *See Breza v. City of Minnetrista*, 706 N.W.2d 512, 515 n.1 (Minn. App. 2005).

**IT IS HEREBY ORDERED:**

1. The requests for leave to file briefs as amici curiae are granted.
2. The briefs of amici shall not exceed 7,000 words, Minn. R. Civ. App. P. 132.02, subd. 3, and shall not be cumulative of the briefs of the aligned parties. The briefs of amici shall be served and filed within seven days after the deadline for the briefs of the aligned parties.

**Dated:** February 1, 2017

**BY THE COURT**

  
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Edward J. Cleary  
Chief Judge