

STATE OF MINNESOTA
IN COURT OF APPEALS

OFFICE OF
APPELLATE COURTS

OCT - 1 2008

FILED

Clifford L. Whitaker, et al., on behalf of
themselves and all others similarly situated,

ORDER

Respondents,

#A08-816

vs.

3M Company,

Appellant.

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

1. We granted discretionary review in this appeal, briefing is now complete, and the parties are awaiting the scheduling of oral arguments.
2. It is the regular practice of this court to allow appellants 15 minutes for presentation of their principal arguments, to allow respondents 15 minutes for argument, and to allow appellants an additional 5 minutes for rebuttal, if desired. Appellant moves for the allowance of additional time at oral argument.
3. In light of the issues raised by the parties, it is appropriate to allow additional time in this matter.
4. Cases in which briefing was completed in late May are now being set for oral arguments in late November. Accordingly, it is likely that oral arguments in this matter will be set sometime after February 15, 2009. Counsel are reminded of their obligation to continue filing updated notices of potential conflicts to be considered in

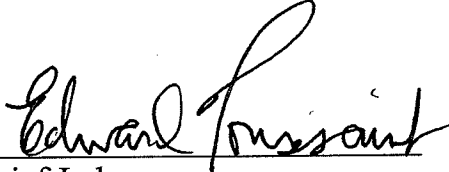
setting the case for arguments. After the case is scheduled, postponement will be permitted only in the event of an unforeseen emergency.

IT IS HEREBY ORDERED:

1. Appellant's motion for additional time at oral argument is granted.
2. Appellant will be afforded up to 25 minutes for presentation of its principal argument, respondents will have up to 25 minutes to present their arguments, and appellant will have up to 5 additional minutes for rebuttal.

Dated: September 30, 2008

BY THE COURT


Chief Judge