

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kevin Scott Karsjens, David Leroy Gamble,
Jr., Kevin John DeVillion, Peter Gerard
Lonergan, James Matthew Noyer, Sr.,
James John Rud, James Allen Barber,
Craig Allen Bolte, Dennis Richard Steiner,
Kaine Joseph Braun, Christopher John
Thuringer, Kenny S. Daywitt, Bradley Wayne
Foster, Brian K. Hausfeld, and all others
similarly situated,

Civil No. 11-3659 (DWF/JJK)

Plaintiffs,

v.

**ORDER APPOINTING
SPECIAL MASTER**

Lucinda Jesson, Dennis Benson, Kevin
Moser, Tom Lundquist, Nancy Johnston,
Jannine Hébert, and Ann Zimmerman,
in their official capacities,

Defendants.

Based upon the status of this case, and in light of the entire record before the Court,
and the Court otherwise being duly advised in the premises, **IT IS HEREBY ORDERED**
that:

1. The Court appoints former Chief Justice Eric J. Magnuson as Special Master
in this matter pursuant to Rule 53 of the Federal Rules of Civil Procedure. Pursuant to
Rule 53, and the Court's inherent authority to seek assistance in order to administer its cases
efficiently, economically, and in the interests of justice, the Court concludes that the
appointment of a Special Master in this case is necessary to coordinate the efforts of the
parties following the Court's determination of Defendants' liability on Counts I and II of

Plaintiffs' Third Amended Complaint (Doc. No. 635), to accommodate the public interest in achieving prompt and just solutions to the serious constitutional problems identified by the Court, and to lessen the expense and strain of resources on the Court and the parties in a case of this magnitude.

2. In his role as Special Master, Eric J. Magnuson is authorized to provide oversight of the injunctive relief imposed by the Court with respect to Counts I and II of Plaintiffs' Third Amended Complaint (Doc. No. 635), and is further authorized to perform any ancillary acts necessary to properly perform his duties under this Order and under Rule 53. Under Rule 53(c), Special Master Magnuson "has the authority to regulate all proceedings and take all appropriate measures to perform fairly and efficiently" his assigned duties. The role of Special Master Magnuson is viewed by the Court as a nonadversarial role and, as such, the Court assumes and expects that the parties will cooperate and communicate with Special Master Magnuson.

3. Special Master Magnuson has agreed to serve in a *pro bono* capacity at no cost to the parties or expense to the Court. Because Special Master Magnuson has agreed to serve in a *pro bono* capacity, all fees and compensation for the time and services rendered shall be his responsibility, and will not be borne by the parties in this matter.

4. The Court reserves the right to amend this Order at any time, upon notice to the parties, and an opportunity to be heard.

Dated: July 23, 2015

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge