

STATE OF MINNESOTA  
COUNTY OF WASHINGTON

DISTRICT COURT  
CIVIL DIVISION  
TENTH JUDICIAL DISTRICT

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City of Oak Park Heights,  
a Minnesota municipal corporation,

Court File No:  
Judge:

Plaintiff,

**PLAINTIFF'S REQUEST FOR  
PRODUCTION OF DOCUMENTS**

v.

State of Minnesota, by its Commissioner  
of Transportation,

Defendant.

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TO: THE DEFENDANT ABOVE-NAMED, STATE OF MINNESOTA, AND ITS  
ATTORNEY, STUART T. ALGER, ASSISTANT ATTORNEY GENERAL, SUITE  
1800 445 MINNESOTA STREET, ST. PAUL, MINNESOTA 55101-2134

Pursuant to Rule 34 of the Rules of Civil Procedure for the District Court of Minnesota,  
Plaintiff requests that Defendant or its attorney, produce and permit counsel for Plaintiff to inspect  
and copy the designated documents requested. Said inspection and copying is to take place at the  
office of counsel for Plaintiff within thirty (30) days of this request. In the alternative, supply copies  
of the following documents requested to counsel for Plaintiff within thirty (30) days:

1. Copies of all notes, e-mails, memoranda, interoffice correspondence, written  
notes to file or other written evidence of any communications within the Minnesota Department  
of Transportation relative to the City of Oak Park Heights' request in 2004 that the Minnesota  
Department of Transportation agree with the City's position that the St. Croix River Crossing  
Project, for purposes of municipal approval, would be processed and/or following the statutory  
process that was in effect prior to the statutory revisions of 2001.

2. Copies of all notes, e-mails, memoranda, interoffice correspondence, written  
notes to file or other written evidence of any communications within the Minnesota Department

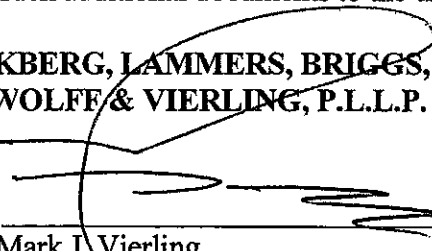
of Transportation relative to the Minnesota Department of Transportation correspondence to the City of Oak Park Heights dated October 5, 2004, August 8, 2006 and/or December 17, 2004.

3. Copies of all documents, notes, memoranda, reports, written submissions or other written materials or other documents which either support or oppose the City's position that "the Project" as identified within the St. Croix River Crossing Project Supplemental Final Environmental Impact Statement released June 16, 2006 is a continuation of the same project first submitted and applied for municipal approval to the City of Oak Park Heights and referenced in the City's conditional municipal consent approval in 1995.

This demand for documents, writings or tangible things is deemed to be continuing in nature, and if any additional documents relative to the subject matter inquired into herein should be obtained by you, your counsel, or anyone representing your interest subsequent to the date of the herein demand, you are hereby directed to furnish such additional documents to the undersigned.

**ECKBERG, LAMMERS, BRIGGS,  
WOLFF & VIERLING, P.L.L.P.**

Dated: 12-29-06

By:   
Mark J. Vierling  
Attorney Registration No: 112823  
Attorney for Plaintiff  
1809 Northwestern Avenue, Suite 110  
Stillwater, MN 55082  
(651) 439-2878