



August 25, 2009

**VIA EMAIL AND US MAIL**

The Honorable Charles A. Porter  
300 S. 6<sup>th</sup> Street  
Minneapolis, MN 55487

Re: Brown v. JACC (27-CV-09-2277)

Dear Judge Porter:

Plaintiffs appreciate the extension to provide this today. I have attached Plaintiffs' proposed Second Amended Complaint ("SAC"). Also included is a proposed order (as a .doc, .docx and a .pdf) that allows Plaintiffs to serve and file the SAC if none of the parties affirmatively object within one week of today or **September 1, 2009**. The proposed order also alerts the Court Administrator to amend the caption (JACC was always listed as a defendant in the text, but was accidentally omitted from the caption until this SAC).

I should note that my clients are still willing to consider dismissing the remaining City-defendants (note that the Asst. City Attorney and Stacey Sorenson have already been dismissed with this SAC), but they want first to review the emails that Mr. Moore had indicated he would provide to me. Mr. Moore and I will continue those discussions.

I am also alerting the Court to another issue. Plaintiffs do reserve the right to seek dissolution of JACC as a remedy under 317A.751. At one point during the preliminary injunction hearing, Mr. Schooler argued that the Plaintiffs were required to notify the Attorney General ("AG") if they were seeking dissolution. I have attached the statute that it appears Mr. Schooler was referencing. It provides that the court shall order a copy of the "petition" be served on the AG. Your Honor can decide whether it would apply to this case. Obviously, if financial data must be provided pursuant to Minn. Stat. 317A.811, it must be provided by defendants as Plaintiffs have no access to that information.

Respectfully submitted,

*s/jillclark*  
Jill Clark

C: Clients, David Schooler, James Moore, Filing

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