

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

File No. 0:14-cv-03391-JRT-SER

Lakes and Parks Alliance of Minneapolis,
a Minnesota non-profit corporation

Plaintiff,

vs.

**FIRST SET OF DOCUMENT
REQUESTS TO DEFENDANT
METROPOLITAN COUNCIL**

Federal Transit Administration, an agency
of the United States; and the Metropolitan
Council, a public corporation and political
subdivision of the State of Minnesota.

Defendants.

TO: Defendant Metropolitan Council and its counsel of record, Charles N. Nauen and David J. Zoll, Lockridge Grindal Nauen, 100 Washington Avenue South, Suite 2200, Minneapolis, MN 55401.

PLEASE TAKE NOTICE that Plaintiff Lakes and Parks Alliance of Minneapolis requests, pursuant to Rule 33 of the Federal Rules of Civil Procedure, that Defendant Metropolitan Council answer in writing and under oath the following document requests within 30 days after the document requests are served.

INSTRUCTIONS AND DEFINITIONS

1. These document requests shall be deemed continuing and to require supplemental answers to the extent you obtain further relevant information after your initial response.

2. If you object to any discovery request on the basis of attorney-client

privilege, work-product doctrine, or any other privilege, state the privilege claimed, and identify the documents or communications for which such privilege is claimed, stating the following:

- a. The date of the communication;
 - b. The description of the document or communication protected, including the identity of all persons present or all persons who authored, transmitted, or received a copy of such communication, and the number of pages, if written;
 - c. The subject matter of the document or communication; and
 - d. The basis on which the privilege is claimed.
3. The word “person” includes individuals and corporations, partnerships, unincorporated associations, and other business entities, and any governmental unit or agency.
4. Where you are requested to identify a person in the following document requests, identify the person by stating the full name, last known address, and telephone number.
5. The use of the term “documents” is to have the broadest definition possible consistent with the Federal Rules of Civil Procedure, and it specifically includes electronically stored information.
6. The terms “you” and “your” refer to the Metropolitan Council and all of its employees, agents, and representatives.
7. Unless otherwise stated, the relevant time period for all requests is

November 1, 2012 and thereafter.

DOCUMENT REQUESTS

REQUEST NO. 1: All documents referred to in your Answer or Answers to Interrogatories, or to which you referred when drafting the Answer or Answers to Interrogatories.

REQUEST NO. 2: All contracts, letters of intent or other agreements, whether binding or non-binding, with any vendors or contractors for any aspect of the design, engineering, construction, or other products or services relating to the Southwest Light Rail Transit (“SWLRT”) Project (“SWLRT Agreements”).

REQUEST NO. 3: All communications with vendors or contractors relating to any of the SWLRT Agreements, including the negotiations, execution, interpretation or significance of such Agreements.

REQUEST NO. 4: All Requests for Proposals relating to the design, engineering, construction, or other products or services relating to the SWLRT.

REQUEST NO. 5: All bids or other responses received in response to the Requests for Proposals.

REQUEST NO. 6: All communications with potential vendors or contractors relating to any aspect of the Requests for Proposals.

REQUEST NO. 7: All communications or agreements relating to the purchase, lease, or other arrangement for the acquisition or use of property along the proposed SWLRT alignment approved by all five corridor city councils and Hennepin County in September 2015 (“SWLRT Alignment”).

REQUEST NO. 8: All communications with Minnesota state legislators or the Minnesota governor relating to the SWLRT Project.

REQUEST NO. 9: All communications with members of the St. Louis Park City Council or employees of St. Louis Park relating to the SWLRT Project, including the Memorandum of Understanding between St. Louis Park and the Metropolitan Council regarding the SWLRT Project.

REQUEST NO. 10: All communications with members of the Minneapolis City Council, the Mayor or employees of Minneapolis relating to SWLRT Project, including the Memorandum of Understanding between Minneapolis and the Metropolitan Council regarding the SWLRT Project.

REQUEST NO. 11: All communications with members of the Minneapolis Park and Recreation Board (“MPRB”) or employees of MPRB relating to the SWLRT Project, including the Memorandum of Understanding between the Metropolitan Council and the MPRB.

REQUEST NO. 12: All communications with the Burlington Northern Santa Fe Railroad or the Twin Cities & Western Railroad relating to the re-alignment or re-routing of freight rail lines relating to the SWLRT Project or the design and alignment of freight rail lines adjacent to the SWLRT.

REQUEST NO. 13: All communications with the Federal Transit Administration relating to the SWLRT Project, including the Project’s approval and funding.

REQUEST NO. 14: Documents sufficient to show the amount of funds expended by the Metropolitan Council on any aspect of the SWLRT Project to date, including

documents sufficient to show the amounts expended on the assessment, design, engineering, and construction of each of the SWLRT alignments still under consideration by the Metropolitan Council.

REQUEST NO. 15: Any written or recorded statements or reports obtained by the Metropolitan Council or its attorneys relating to any of the matters at issue in this action apart from those submitted in response to the Draft Environmental Impact Statement or the Supplemental Draft Environmental Impact Statement.

REQUEST NO. 16: All documents provided to any person the Metropolitan Council expects to call as an expert witness at trial of this case.

REQUEST NO. 17: All documents that support any of the Metropolitan Council's affirmative defenses.

REQUEST NO. 18: Any documents relating to any alleged admissions by the Lakes and Parks Alliance of Minneapolis.

Dated: October __, 2015

**GRAY, PLANT, MOOTY, MOOTY
& BENNETT, P.A.**

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