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September 7, 2007

The Honorable Francis Connolly  
C-1657 Hennepin County Government Center  
300 South Sixth Street  
Minneapolis, MN 55487

VIA FACSIMILE AND U.S. MAIL

Re: Peter Huxmann et al. v. Minneapolis Park and Recreation Board  
Court File No.: 27-CV-07-7807

Dear Judge Connolly:

On behalf of Defendant Minneapolis Park and Recreation Board, I am responding to what appears to be a deliberate misrepresentation by the Plaintiff in his submission to this court dated September 6, 2007. On page 3 of Plaintiff's response to the affidavit of Nicholas P. Eoloff, Plaintiff stated:

On or about Tuesday, September 4, 2007, plaintiff's attorney (and, reportedly, others) received the Park Board's invitation to "open houses" which are to be held on September 18<sup>th</sup> and October 18<sup>th</sup> to "to review location and design alternatives" **of the bike path at issue** followed by community discussions.

Emphasis added. Contrary to Plaintiff's assertion, these public meetings are not to review the location and design alternatives of the bike trail from 37<sup>th</sup> St. N.E. through Stinson. Instead, the purpose of these open houses is to discuss the location and design of another bike path joining the trail in Northeast Minneapolis to the trail in Southeast Minneapolis (from Stinson Blvd. at 18<sup>th</sup> Ave. N.E. to River Road in Southeast Minneapolis). These open houses have nothing to do with the bike/pedestrian path at issue in Plaintiff's law suit. If the court needs further verification from the Park Board on this matter, I will be happy to supply the court with an additional affidavit to that effect.

Very truly yours,



Karin E. Peterson

cc: Judd Rietkerk (via U.S. Mail only)  
Alfred Stanbury, Esq.

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