

STATE OF MINNESOTA

IN SUPREME COURT

A10-1242

A10-1243

A10-1246

A10-1247

**FILED**

June 28, 2011

**OFFICE OF  
APPELLATE COURTS**

Rick Glorvigen, as Trustee for the  
next-of-kin of decedent James Kosak,

Petitioner,

Thomas M. Gartland, as Trustee for the  
next-of-kin of decedent Gary R. Prokop,

Petitioner,

vs.

Cirrus Design Corporation,

Respondent,

Estate of Gary Prokop, by and through  
Katherine Prokop as Personal Representative,

Petitioner,

University of North Dakota Aerospace  
Foundation,

Respondent.

**O R D E R**

Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. The petitions of Rick Glorvigen, as Trustee for the next-of-kin of decedent James Kosak, the Estate of Gary Prokop, by and through Katherine Prokop as Personal Representative, and Thomas M. Gartland, as Trustee for the next-of-kin of decedent Gary

R. Prokop, for further review of the decision of the court of appeals be, and the same are, granted.

2. The request of the University of North Dakota Aerospace Foundation for cross-review be, and the same, is granted, and the issues presented for cross-review shall be treated as a cross-appeal for purposes of briefing.

3. The petitioners Rick Glorvigen, as Trustee for the next-of-kin of decedent James Kosak, the Estate of Gary Prokop, by and through Katherine Prokop as Personal Representative, and Thomas M. Gartland, as Trustee for the next-of-kin of decedent Gary R. Prokop, shall proceed as appellants/cross-respondents, and the University of North Dakota Aerospace Foundation shall proceed as respondent/cross-appellant. Briefs shall be served and filed in the quantity, form, and within the time limitations provided for a cross-appeal in Minn. R. Civ. App. P. 131.01, subd. 5, and 132. Counsel will be notified at a later date of the time for argument before this court.

4. The motions of the Minnesota Association for Justice and the State of Minnesota, by its Attorney General, for leave to serve and file briefs as amici curiae in the above-entitled matter in support of appellants be, and the same are, granted. Said briefs shall be served and filed in accordance with Minn. R. Civ. App. P. 129 and 132. Amici will not be permitted to participate in oral argument.

Dated: June 28, 2011

BY THE COURT:

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/s/

Lorie S. Gildea  
Chief Justice

STRAS, J., took no part in the consideration or decision of this case.