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March 6, 2008

John M. Harrington  
Chief of Police  
City of St. Paul  
367 Grove Street  
Saint Paul, MN 55101

Shari Moore  
City Clerk  
310 City Hall  
15 West Kellogg Blvd.  
Saint Paul, MN 55102

***Re: Notice of Appeal from Grant of Conditional Alternative Permit to the Coalition to March on the RNC and Stop the War***

Dear Chief Harrington and Ms. Moore:

The Coalition to March on the RNC and Stop the War hereby provides notice of its intent to appeal from the Police Department's grant of a permit designated as a "conditional alternative permit."

**Notice of Appeal from Grant of Permit as a "Conditional Alternative Permit"**

On March 3, 2008, the City of St. Paul Police Department (the "Police Department") issued a permit to the Coalition to March on the RNC to Stop the War (the "Coalition").<sup>1</sup> This Permit provides that the Coalition shall be permitted to hold a parade on September 1, 2008. The permit was designated as a "conditional alternative permit."<sup>2</sup> The "conditional alternative permit" granted by the Police Department is incomplete, and fails to provide the relevant information that the Coalition needs to ensure for and implement a safe and organized parade and to determine whether the permit meets with constitutional requirements. In particular, the Permit, among other things, fails to provide a start location for the Coalition's parade and fails to ensure a parade route which will ultimately satisfy constitutional "sight and sound" requirements. In addition, this permit purports to extend the time for making these determinations up to May 31, 2008, and purports to grant the right to require further restrictions other than those contained in Chapter 366A.

<sup>1</sup> The group's proper name is the Coalition to March on the RNC and Stop the War.

<sup>2</sup> Chapter 366A of the St. Paul City Legislative Code does not have a provision entitled for "conditional alternative permit." However, the Ordinance does have a provision for an alternative permit. See § 366A.09.

LINDQUIST & VENNUM P.L.L.P.

Letter to John Harrington and Shari Moore  
March 6, 2008  
Page 2

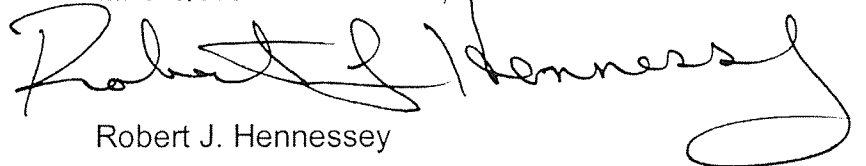
The Coalition now challenges and appeals from the Police Department's incomplete grant. The grounds for appeal include, but are not limited to, the following: (1) the

Police Department acted improperly in incorporating the "Guidelines Regarding Issuance of Permits to Conduct Parades Pursuant to Section 366A of the Saint Paul Legislative Code in Certain Areas of the City of Saint Paul, Minnesota on September 1, 2008" (the "Guidelines") to the extent these Guidelines contradict the Chapter 366A and therefore constitute impermissible legislating by the Police Department; and (2) the Police Department's promulgation that it will not finalize permits for September 1, 2008 up to and including May 31, 2008 and its self-proclaimed right to impose further restrictions is unconstitutional because it is not narrowly tailored and places citizens in a position whereby it will be impracticable for them to challenge the Police Department in court should the Police Department fail to satisfy its constitutional obligations.

WHEREFORE, the Coalition respectfully requests that the St. Paul City Council find that the Coalition's permit should be granted in full immediately, and direct the Police Department to provide the Coalition with a completed permit.

Very truly yours,

LINDQUIST & VENNUM, P.L.L.P.

A handwritten signature in black ink, appearing to read "Robert J. Hennessey", with a large, stylized flourish at the end.

Robert J. Hennessey

RJH:lms

cc: Assistant Chief Matthew Bostrom  
John Kelly, Esq., Assistant City Attorney