



MINNESOTA HISTORICAL SOCIETY  
Minnesota State Archives

**ATTORNEY GENERAL:  
Health Division:**

**An Inventory of Its Litigation Files**

**OVERVIEW**

**Agency:** Minnesota. Attorney General. Health Division.  
**Series Title:** Litigation Files.  
**Dates:** 1960-1986.  
**Quantity:** 7.8 cubic feet (8 boxes).  
**Location:** See Detailed Description section for box locations.

**SCOPE AND CONTENTS**

Files documenting substantive or precedent setting cases regarding public health matters, particularly the fight over fluoridation of Brainerd's municipal water supply, the state's contract with Environmental Aviation Services, Inc. to spray insecticide in various locations, and hazardous chemical clean-up at the Reilly Tar and Chemical Corporation's St. Louis Park site. There are also files dealing with nursing home and community health care program operation, licensing, and facilities; licensing of plumbers and ambulance services; abortion rights; and toxic shock syndrome. Most cases were heard in state district courts; some went to the state supreme court.

Included are transcripts of hearings and testimony, depositions, court orders and pleadings, memoranda, correspondence, and other legal instruments.

**INDEX TERMS**

*This collection is indexed under the following headings in the catalog of the Minnesota Historical Society. Researchers desiring materials about related topics, persons or places should search the catalog using these headings.*

**Topics:**

Abortion—Law and legislation—Minnesota.  
Ambulance service—Licenses—Minnesota.

Community health services—Minnesota—Administration.  
Health facilities—Minnesota.  
Nursing homes—Minnesota—Administration.  
Plumbers—License —Minnesota.  
Public health laws—Minnesota.  
Water—Fluoridation—Minnesota—Brainerd.  
Insecticides—Minnesota.  
Hazardous waste site remediation—Minnesota—Saint Louis Park.  
Toxic shock syndrome—Law and legislation—Minnesota.

**Organizations:**

Environmental Aviation Services, Inc.  
Reilly Tar and Chemical Corporation.

**Types of Documents:**

Transcripts.

## ADMINISTRATIVE INFORMATION

**Preferred Citation:**

*[Indicate the cited item and folder title or volume and page here].* Minnesota. Attorney General. Health Division. Litigation Files. Minnesota Historical Society. State Archives.  
*See the Chicago Manual of Style for additional examples.*

**Accession Information:**

Accession numbers: 984-188; 985-140; 994-5; 995-37; 2008-33

**Processing Information:**

Catalog ID No.: 1705870

## DETAILED DESCRIPTION

*Note to Researchers: To request materials, please note the location shown below. Each file consists of one folder unless specified otherwise.*

### Location

154.L.3.14F	Department of Health v Richview Nursing Home: Hearing transcripts, 1974-1975. 14 volumes. Transcripts of hearings regarding patient care and nutrition. Cedar-Riverside People's Center, Inc., et al., v Board of Health, et al., 1972-1973. Regarding provisions for community health care programs and facilities.
-------------	---

**Location**

- 154.L.3.14F Board of Health v Alliance Residence, 1973-1975.  
Regarding expansion or modification of the facility.  
Board of Health v Harmony Nursing Home, Inc., 1974-1975.  
Regarding expansion or modification of the facility.  
Migrant Labor Camp: Permit Revocation Hearing, 1974.  
Board of Health v Gusa, 1973-1974.  
For operating a health care facility without a license.  
Ebenezer Society and Fairview Community Hospitals v Board of Health,  
1973-1975. 3 folders.
- 154.L.4.1B Jones v Board of Health, 1973-1974. 2 folders.  
For working as a plumber without a master plumber's license.  
Monk and Excelsior, Inc. v Board of Health, 1973. 2 folders, 4 volumes.  
Nursing home construction.  
72-252-MDH, Twin Ports Convalescent, Inc. and G.C.A.S. Inc. v Board  
of Health, 1976-1977. 2 folders.  
Regarding license to operate an ambulance service.  
76-58-MDH, Board of Health v Grandview Christian Home, 1974-1977.  
3 folders.  
105118C, Hines, et al., v Wendell Anderson, et al., 1974-1977.  
Operation of Stillwater State Prison medical building.  
Stevens Square v Board of Health, 1975-1976. 1 folder.  
Nursing home licensure.
- 154.L.4.2F Stevens Square v Board of Health, 1975-1976. 1 folder.  
Minnesotans Opposed to Forced Fluoridation v City of Brainerd, et al.,  
1972-1974.  
General, 1972-1973. 2 folders.  
Correspondence, 1972-1974.  
Deposition of Dr. George L. Waldbott, January 22-23, 1973.  
Pleadings (Case 37168), 1972-1973.  
Proposed affidavit for change of venue of Michael Tripple, 1974.  
Minnesota State Board of Health v City of Brainerd, 1974-1985.  
Regarding fluoridation of the municipal water supply; heard in  
Crow Wing County District Court, the state Supreme Court, and  
U.S. District Court (counter-suit). Records include pleadings,  
correspondence, Supreme Court proceedings, case publicity, and  
reports and statements concerning the case.  
Alternative Dental Health Plan for Brainerd, 1983-1984.  
Alternative Dental Health Plan evaluation, 1984.

**Location**

- 154.L.4.2F Board's Motion to Affirm a Dismissal, 1976.  
Brainerd v Quie, 1979. 4 folders.  
Correspondence.  
Newspaper articles.  
Pleadings.  
Additional pleadings.  
Contempt hearing, 1979. 4 folders.  
Items for contempt hearing. 2 folders.  
Transcript, October 12, 1979.  
Transcript, October 23, 1979.  
Correspondence, 1974-1980. 2 folders.
- 101.I.11.6F Correspondence, 1974-1980. 1 folder.  
Fluoridation, miscellaneous, 1980-1983. 5 folders.  
Fluoridation, Michigan conference, 1983.  
Fluoridation, Scottish court case, 1983.  
Governor's Commission on Fluoridation, Report, 1979.  
Information: Brainerd's Water Supply, 1974.  
Information: Jack Anderson, 1974.  
Minnesota Department of Health file materials, 1984.  
Minnesota Department of Health: Graham, John Remington,  
(attorney), 1980-1985. 2 folders.  
Motion to Vacate Research, 1976.  
Motion to Vacate Transcript of Telephone Conversations, 1976.  
Newspaper articles, 1974-1980.  
Petition for Rehearing and Answer to Petition, 1976. 2 folders.  
Pleadings, 1974-1979. 1 folder.
- 101.I.11.7B Pleadings, 1974-1979. 3 folders.  
Pleadings, additional: Case 38183, Supreme Court 47675, 1974-  
1979. 4 folders.  
Includes File 3, 1974-1976; File 3A, 1975-1979; and File 3B,  
1979.
- U. S. Supreme Court Proceedings: Appellant's Jurisdictional  
Statement, 1976.
- 50.15D1.0470, Honey Producers Association Inc. v Otter Tail County, et  
al., 1983.  
Regarding attempt to obtain a restraining order preventing the  
Health Department from spraying the insecticide malathion. The  
department began a spraying program, as part of Governor's  
Perpich's health emergency, to control the spread of mosquito-  
borne encephalitis; includes pleadings and correspondence.

**Location**

- 101.I.11.7B 50.73D0.0470, Environmental Aviation Services, Inc. v State of Minnesota, 1984-1985. 1 folder.  
Regarding allegations of breach of contract by the state with the firm hired to apply insecticide in certain parts of Minnesota.  
Pleadings, correspondence, investigation reports, and depositions.
- 106.J.18.9B 50.73D0.0470, Environmental Aviation Services, Inc. v State of Minnesota, 1984-1985. 13 folders.  
50.93D3.0470. George Cook v Environmental Aviation Services, Inc. and State of Minnesota, 1984. 9 folders.  
Regarding allegations of damage to Cook's property by careless and negligent spraying of insecticide; includes pleadings, correspondence, media reports, and legal files documenting negligence.
- 106.J.18.10F Reilly Tar and Chemical Corporation, 1960-1986.  
Files concerning court cases brought to force Reilly to clean up their industrial plant (declared a Superfund site) in St. Louis Park. Tar and industrial chemicals had been dumped on the grounds for years and had begun to reach the water table.  
Applicable law, 1960-1981.  
Arsenic poisoning investigation of Sheldon Levin (St. Louis Park resident), June 1975.  
Correspondence, 1970-1986.  
Discovery documents, 1974-1981. 2 folders.  
Health risk, 1976-1977.  
Memo of understanding and addendum, 1978-1980.  
Pleadings, old action, 1970-1978.  
Prelitigation, 1978.  
Federal case (Civ. 4-80-469), 1977-1986.  
Pleadings, 1980-1983. 3 folders.  
Correspondence, 1977-1986.  
Litigation management, 1980.  
Industrial process used at Reilly St. Louis Park plant, 1916-1973, Briefing Memo of October 1, 1980.  
Notes, 1981.  
Additional pleadings, 1981.  
Comprehensive Environmental Response, Compensation and Liability Act of 1980, PL-96-510.  
Memos, 1980-1985.

## Location

104.K.8.10F

Privileged information, 1974-1981. 3 folders.

Privileged information: Documents pulled from Koch volumes as privileged; privileged and objected to; and pending handwriting identification, 1973-1978. 3 folders.

Privileged information: Documents pulled from Ross volumes as privileged or because his name not shown, 1972-1980. 2 folders.

Privileged information: Miscellaneous documents, 1974-1980.

Pollution Control meeting, April 22, 1986.

Cost Estimate for Clean-up of Contaminated Groundwater and Soil at the Reilly Tar and Chemical Company Facility, St. Louis, Park, Minnesota, 1981.

By Ecology and Environment, Inc.

Hodgson v Flakne, 1975-1978. 2 folders.

Class action suit brought by Dr. Jane Hodgson and several other physicians for a declaratory and injunctive relief from Minnesota Statute 145.423, section 1, subd. 2, which required for every abortion performed on a woman 20 or more weeks pregnant a second physician had to be accessible to care for the child in event of a live birth.

Pleadings, 1976-1978.

Miscellaneous, 1975-1978.

Sherry A. Nickle v International Playtex, Inc., 1977-1986. 6 folders.

The Tri-State Toxic Shock Syndrome Study conducted by the Minnesota Department of Health, the Wisconsin Division of Health, the Iowa Department of Health, and the University of Minnesota School of Public Health between October 1979 and September 1980 (report released in January 1981) brought a health risk for women using tampons to national attention.

Correspondence, 1981-1986.

Pleadings, 1981.

Research, 1977-1985.

Notes, [undated].

Exhibits, 1980-1981.

Toxic Shock Syndrome studies, 1980-1981.

*[0.8 cu. ft. full, legal]*