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March 20, 2017

VIA E-FILE

Magistrate-Judge Leo I. Brisbois  
Gerald W. Heaney Federal Building  
and U.S. Courthouse  
515 West First Street  
Duluth, Minnesota 55802

Re: *Anmarie Calgaro v. St. Louis County, et al.*  
Court File No. 16-CV-3919 (PAM/LIB)  
Change of March 27, 2017 Settlement Conference Date

Dear Judge Brisbois:

As this Court may know, my firm is a small law firm of five attorneys. On February 20, 2017, my colleague who plays an important and pivotal role in this lawsuit and other matters, suffered a terrible loss. His oldest son, a Minnesota native, Peter Grzybek, died suddenly and unexpectedly in Virginia Beach, Virginia after just returning from deployment overseas. He served as a Petty Officer, First Class, in the U.S. Navy, Coastal Riverine Group 2. Only 33 years old, he left behind a wife and four children. At the time, the cause of his death was unknown and because of that, his body was not immediately released.<sup>1</sup> As a result, certain events were held in Norfolk, Virginia where he was stationed, including the Command Memorial and funeral in which members of our firm could not attend, including myself.

Peter Grzybek's remains are returning to Minnesota for burial at Fort Snelling National Cemetery with full military honors on March 27, 2017 at 10:00 a.m. with an event for family and friends immediately following the burial. Hence, I would not be available to attend the settlement conference in this matter scheduled for the same day. The date of the burial was not within my colleague's control.

Because we were unable to do so in Virginia, I wish, and my firm wishes, to show our support and respect to the Grzybek family in this terrible loss as they put their son to rest here in Minnesota.

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<sup>1</sup> It was later revealed that he died of acute myocarditis caused, it is believed, by a viral infection — which has not been identified and may likely will never be known. There was also an uncontrolled swelling of the brain which ensued that also ultimately contributed to his death.

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I have spoken with Mr. Ponto, counsel for J.D.K. Mr. Ponto has no objection to postponing this settlement conference. Likewise, my client Anmarie Calgaro, desires that only I attend the settlement conference on her behalf. Both understand my situation and support this request.

We therefore, respectfully request a continuance of the March 27, 2017 settlement conference.

Very truly yours,

/s/ Erick G. Kaardal

EGK/mg