

9800.1100 APPLICATION TO SET AWARD ASIDE AND GRANT A NEW HEARING.

Subpart 1. **Applications.** An application to set an award aside and grant a new hearing must be accompanied by appropriate supporting affidavits, medical reports, and other documentary evidence, and by a memorandum of law. The application must be filed with the court and accompanied by proof of service on all parties to any award to which the application applies.

Subp. 2. **Cause.** Each application must specifically state the basis upon which cause to vacate the award may be found pursuant to Minnesota Statutes, section 176.461, and the reasons why that basis exists.

Subp. 3. **Responsive pleadings.** Responses and other pleadings must be served upon all parties and filed with the court within 45 days after the filing of an application. All responsive pleadings must be accompanied by appropriate supporting affidavits, medical reports, and other documentary evidence, and by a memorandum of law.

Subp. 4. **Reply memoranda.** Reply memoranda, if any, must be served upon all parties and filed with the court within 15 days after the filing of responsive pleadings. They may address only issues raised in any responsive pleadings.

Subp. 5. **Hearing.** Any party to a matter related to an application under this part may be heard in oral argument. The court shall inquire of the parties if they desire oral argument. If no party requests oral argument, the court shall make its determination on the pleadings and submitted evidence, if such a determination can be made justly and expeditiously.

Subp. 6. **Determination.** The court shall grant the application if it determines that cause exists pursuant to Minnesota Statutes, section 176.461.

Statutory Authority: *MS s 175A.07*

History: *10 SR 698; 13 SR 981; 19 SR 1131*

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