

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

FILED
NOV 19 2010
DIST. COURT ADMINISTRATOR
Deputy

Judge Lloyd B. Zimmerman

Mee Yang,

Plaintiff,

vs.

County of Hennepin, Minnesota,
Medical Examiner,

Defendant.

TEMPORARY RESTRAINING ORDER

Deputy

File No. 27-CV10-26440

The above-entitled matter came before the undersigned Judge of District Court for a temporary restraining order on November 19, 2010.

APPEARANCES:

Plaintiff appeared and was represented by Jill Clark, Esq. and Richard Saliterman, Esq.

Defendant was represented by Jean Burdorf, Assistant Hennepin County Attorney.

For the reasons cited on the record, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff shall have immediate access to view the body of her deceased husband, Jason Yang, at the office of the Hennepin County Medical Examiner.

2. Plaintiff may be accompanied by one family member and one nurse or other medical professional.

3. Viewing shall take place within the following parameters: Plaintiff and those who accompany her shall view the body from behind a viewing window. At Plaintiff's discretion, the body of her deceased husband shall be cleaned up or not cleaned up, and draped or not draped. The Medical Examiner shall have staff present that can turn the body once at Plaintiff's request so that she may view the entire body.

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

Mee Yang,

Case No. 27-CV-10-26440

Plaintiffs,

Supplemental
AFFIDAVIT OF MEE YANG
IN SUPPORT OF TRO

v.

County of Hennepin, Minnesota,
Medical Examiner,

Defendants.

Mee Yang, being first duly sworn deposes and states:

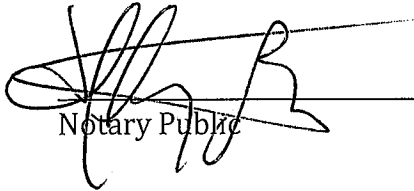
1. I am the surviving spouse of Jason Yang, who died early Saturday morning, November 13, 2010, while being chased by Minneapolis Police.
2. Prior to filing this lawsuit, I was told by the Medical Examiner's office that Jason had the following wounds: hip, skull and wrist fractures, bleeding in the brain, bruising in the lung, lung laceration, torn heart, liver and abdominal laceration. I was told they were going to rule the death "accidental." At no time did anyone at the ME's office tell me, or even allude, to any shooting, or any bullet wound or hole. Clearly, this was being told to others, as well. See **Exh. A**.
3. Pursuant to Judge Zimmerman's order of Friday, November 19, 2010, I viewed my husband's body at the Medical Examiner's office. I, myself, with my own eyes, viewed a bullet wound right shoulder (his right, not right while looking at him). I am now very distrustful of the ME's process. This information was kept from us, his family.

4. I am concerned that now the effort will be to discredit the eye-witnesses to the bullet wound, and try to claim we are “crazy” or that we did not see what we saw. I am therefore asking that the Court order the preservation of all evidence (including pictures of the bullet wound taken by the ME’s office *if they have not already taken them*), and that the Court reconsider allowing Jason’s family to take its own pictures which we control. We are not asking to be in the room, but could have a photographer take pictures from beyond the glass. I do want to say, however, that after hearing testimony and argument from the County Medical Examiner, I was surprised to see the viewing room. It is clearly a family viewing room. There are *not* multiple bodies or coolers in there. Clearly, they only bring one body in there at a time. There are chairs, and tissues, and clearly, families regularly view bodies *in that room* (called the family viewing room). So if the Court will allow the photographer into that room (behind the glass), that will allow close-ups of the bullet wound. If not, the photographer can take pictures from behind the glass. But as surviving spouse, I cannot take the risk that the ME’s office will continue this charade that this was an “accidental” death, and that it will fail to preserve evidence of the bullet wound.

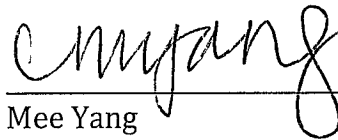
5. We are working to get the body transported to the property facility in the proper way. But in the meantime, we do hope to obtain immediate preservation of Jason’s body, the bullet wound, his clothes (these are now very important), the bullet, and all personal possessions of Jason.

This concludes my affidavit of 3 pages.

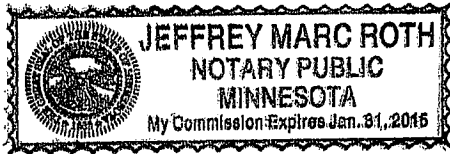
Signed and sworn before me
this 21st day of November, 2010.



Notary Public



Mee Yang



STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

Mee Yang,

Case No. 27-CV-10-26440

Plaintiffs,

Supplemental MICHELLE GROSS
AFFIDAVIT OF ~~JOHN YANG~~ *MA*
IN SUPPORT OF TRO

v.

County of Hennepin, Minnesota,
Medical Examiner,

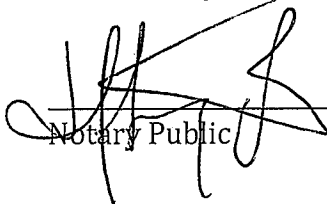
Defendants.

John Yang, being first duly sworn deposes and states:

1. I am the nurse who accompanied the family to view Jason Yang's body on 11/19/10. The ME's Office showed us the left side of Jason Yang, and we had to ask to have the body turned (that is, the table turned). Then, we could clearly see a bullet hole in the sub-clavicular region, mid-clavicular line. I am a Registered Nurse, and I have observed a number of bullet wounds in my professional capacity. I am not mistaken, and am very sure of what I saw. I am also concerned that the ME's office has been less than forthcoming and that this Court must order that it preserve the evidence.

This concludes my affidavit of 1 page.

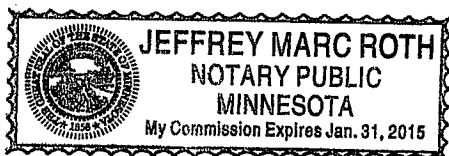
Signed and sworn before me
this 21st day of November, 2010.



Notary Public



Michelle Gross



STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

Mee Yang,

Case No. 27-CV-10-26440

Plaintiffs,

Supplemental
AFFIDAVIT OF JOHN YANG
IN SUPPORT OF TRO

v.

County of Hennepin, Minnesota,
Medical Examiner,

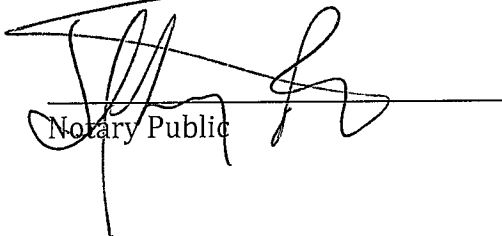
Defendants.

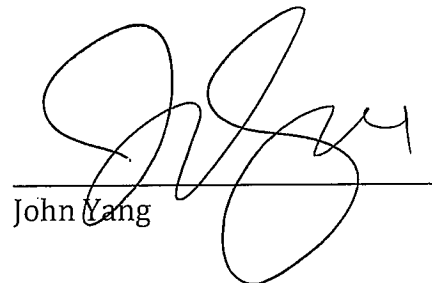
John Yang, being first duly sworn deposes and states:

1. I am the surviving brother of Jason Yang, who died early Saturday morning, November 13, 2010, while being chased by Minneapolis Police.
2. I also viewed Jason's body on 11/19/10. I also viewed the bullet wound in his right shoulder. I am not mistaken, and am very sure of what I saw. I am also concerned that the ME's office has been less than forthcoming and that this Court must order that it preserve the evidence.

This concludes my affidavit of 1 page.

Signed and sworn before me
this 21st day of November, 2010.


Notary Public


John Yang

