



July 28, 2020

eServed

Kezia Smith
Killion Smith Law Firm
525 South Front Street
Mankato, MN 56001

Re: *In Re the Marriage of David Bernhardt and Sarah Bernhardt*
Court File No. 08-FA-19-1024
Our File No. 17301.0001

Dear Ms. Smith:

Enclosed and served upon you by eFS, please find Respondent's Request for Admissions to Petitioner. Pursuant to Minnesota Rule of Civil Procedure 36, you have thirty (30) days to provide me with Petitioner's response to the same.

Please contact me with any questions or concerns.

Sincerely,

FARRISH JOHNSON LAW OFFICE, CHTD.

Amy E. Sauter
asauter@farrishlaw.com

Enclosures

cc: Sarah Bernhardt (via email)

MANKATO OFFICE

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STATE OF MINNESOTA
COUNTY OF BROWN

IN DISTRICT COURT
FIFTH JUDICIAL DISTRICT
FAMILY COURT DIVISION
Case Type: 4/Dissolution with
Children

In Re the Marriage of:

Court File No: 08-FA-19-1024

David J. Bernhardt,

Assigned Judge: Hon. Robert A.
Docherty

Petitioner,

and

Sarah J. Bernhardt,

Respondent.

RESPONDENT'S REQUEST FOR ADMISSIONS TO PETITIONER

TO: PETITIONER AND HIS ATTORNEY, KEZIA SMITH, KILLION SMITH LAW FIRM, 525 SOUTH FRONT STREET, MANKATO, MN 56001:

PLEASE TAKE NOTICE that pursuant to the Minnesota Rules of Civil Procedure, Respondent requests you make the following admissions for the purpose of this action and only subject to all pertinent objections to the admissibility that may be interposed at trial. The definitions set forth in Respondent's Interrogatories to Petitioner apply to these Requests for Admissions.

REQUESTS FOR ADMISSIONS

When admitting or denying the truth of any matter of fact or information or belief, state in detail the nature and source of the information on which your response is based. You are notified that if the following admissions are not properly responded to, the requesting party will seek full sanctions as provided in Minnesota Rules of Civil Procedure, including but not limited to, moving the Court to deem all statements admitted and/or moving the Court to assess the expenses of proving the fact covered by said admissions, including attorney's fees incurred in making such proof.

REQUEST FOR ADMISSIONS

1. Admit that you signed Respondent's signature on your joint 2017 Federal and State income tax returns.
 - a. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
 - i. State each and every fact upon which you base your response;
 - ii. Identify each and every person with knowledge of those facts; and
 - iii. Produce a copy of each document that evidences, refers, or relates to any of those facts.

ANSWER:

2. Admit that Respondent did not give you permission to sign her name on your joint 2017 Federal and State income tax returns.
 - a. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
 - i. State each and every fact upon which you base your response;
 - ii. Identify each and every person with knowledge of those facts; and
 - iii. Produce a copy of each document that evidences, refers, or relates to any of those facts.

ANSWER:

3. Admit that you signed Respondent's signature to a loan at Security State Bank.
 - a. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
 - i. State each and every fact upon which you base your response;
 - ii. Identify each and every person with knowledge of those facts; and
 - iii. Produce a copy of each document that evidences, refers, or relates to any of those facts.

ANSWER:

4. Admit that Respondent did not give you permission to sign her name on this loan from Security State Bank.
 - a. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

- i. State each and every fact upon which you base your response;
- ii. Identify each and every person with knowledge of those facts; and
- iii. Produce a copy of each document that evidences, refers, or relates to any of those facts.

ANSWER:

5. Admit that you sold livestock after the divorce proceedings commenced.
 - a. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
 - i. State each and every fact upon which you base your response;
 - ii. Identify each and every person with knowledge of those facts; and
 - iii. Produce a copy of each document that evidences, refers, or relates to any of those facts.

ANSWER:

6. Admit that you did not provide Respondent with notice that you sold livestock after the divorce proceedings commenced.
 - a. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
 - i. State each and every fact upon which you base your response;
 - ii. Identify each and every person with knowledge of those facts; and
 - iii. Produce a copy of each document that evidences, refers, or relates to any of those facts.

ANSWER:

7. Admit that you did not provide Respondent or her attorney with an accounting of the livestock you sold until you were asked to produce this information in discovery.
 - a. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
 - i. State each and every fact upon which you base your response;
 - ii. Identify each and every person with knowledge of those facts; and
 - iii. Produce a copy of each document that evidences, refers, or relates to any of those facts.

ANSWER:

8. Admit that you stopped making the loan payments to Navy Federal Credit Union for the loan that was collateralized by your truck.

a. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

- i. State each and every fact upon which you base your response;
- ii. Identify each and every person with knowledge of those facts; and
- iii. Produce a copy of each document that evidences, refers, or relates to any of those facts.

ANSWER:

9. Admit that you told Alena that you have to give her her medication, but what she does with it is up to her.

a. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

- i. State each and every fact upon which you base your response;
- ii. Identify each and every person with knowledge of those facts; and
- iii. Produce a copy of each document that evidences, refers, or relates to any of those facts.

ANSWER:

CERTIFICATION

I certify that these Requests are made consistent with Rule 26.07 of the Minnesota Rules of Civil Procedure and all other Minnesota Rules of Civil Procedure, that they are not interposed for any improper purpose.

FARRISH JOHNSON LAW OFFICE, CHTD.

Dated: July 28, 2020

By: /s/Amy E. Sauter
Amy E. Sauter; Atty. ID #0390740
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