

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF MURRAY

FIFTH JUDICIAL DISTRICT  
Case Type: Dissolution with Children

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Court File No.: 51-FA-16-39

In Re the Marriage of:

Katie Marie Titus-Schmahl,

Petitioner,

Ryan Michael Schmahl,

Respondent.

**NOTICE OF  
MOTION AND MOTION  
AND TO COMPEL DISCOVERY  
AND MOTION FOR EXPENSES  
AND FEES UNDER MINN. CIV.  
PRO. 37.01(d)**

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**TO: PRO-SE PETITIONER ABOVE NAMED, 515 NORTH PARK AVENUE,  
SPRINGFIELD, MN 56087.**

**YOU WILL PLEASE TAKE NOTICE** that on October 10, 2023, at 10:00 am or as counsel can be heard before the Honorable Michelle Dietrich, Judge of District Court, at the Murray County Courthouse, 2500 28<sup>th</sup> Street P.O. Box 57, Slayton, MN 56172 (via Zoom), Respondent, through counsel, will move the Court for an Order as follows:

1. Compelling Petitioner to immediately provide all responses to Respondent's Interrogatories, specifically related to Interrogatory Request Numbers **1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30;**
2. Compelling Petitioner to immediately provide all requested documents relating to Respondent's Request for Production of Documents, specifically related to Document Request Numbers **1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21;**
3. Ordering Petitioner to pay Respondent's attorney's fees and expenses pursuant to Minn. R. Civ. P. 37.01(d) in the unknown amount, but to be allowed to be filed once the full amount of fees is determined, plus the filing fee of \$80; and
4. For such other and further relief as the Court deems just, fair, and equitable.

SAID MOTION SHALL BE BASED UPON ALL FILES AND PROCEEDINGS THEREIN

### **NOTICE TO THE OTHER PARTY**

The Rules establish deadlines for responding to motions. All responsive pleadings shall be served and filed with the court administrator no later than 7 days before the scheduled hearing. The court may, in its discretion, disregard any responsive pleadings served or filed with the court administrator less than 7 days before such hearing in ruling on the motion or matter in question.

According to Minnesota General Rules of Practice, Rule 303.01(c), after you receive these papers, if you want to respond to anything raised by the other party in their papers, your written response:

- Must be personally served on the other party:
  - At least 7 days before the hearing if **personally served**; or
  - At least 10 days before the hearing if **served by mail**.
- Must be filed with the Court Administrator at least 7 days before the hearing.

#### **Rule 303.03(a)(2) - Raising New Issues**

If you want to raise **new** issues at the hearing the other party has scheduled, your Motion and Affidavit:

- Must be personally served on the other party:
  - At least 14 days before the hearing if **personally served**; or
  - At least 17 days before the hearing if **served by mail**.

Must be filed with the Court Administrator at least 14 days before the hearing.

**KOHLMEYER HAGEN,  
LAW OFFICE CHTD.**

Dated: September 15, 2023

By: /s/ Scott J. Jones

**Scott J. Jones**

Attorney No.: 0402709

Attorney for Respondent

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