

SUMMONS

STATE OF MINNESOTA
COUNTY OF DAKOTA
DISTRICT COURT
FIRST JUDICIAL DISTRICT
Case Type: Personal Injury
Court File No.: 19HA-CV-24-3611
Joseph R. Gatten,
Plaintiff,

vs.
Jorge Hernandez,
Yudmila Hernandez,
and Real Estate Investore, LLC
d/b/a REI Real Estate & Property
Management,
Defendants.

THIS SUMMONS IS DIRECTED TO JORGE HERNANDAZ AND YUDMILA HERNANDAZ:

1. **You are being sued.** The Plaintiff has started a lawsuit against you. The Amended Complaint is attached to this Summons. Do not throw these papers away. They are official papers that start a lawsuit and affect your legal rights, even if nothing has been filed with the court and even if there is no court file number on this Summons.

2. **You must BOTH reply, in writing, AND get a copy of your reply to the person/business who is suing you within 21 days to protect your rights.** Your reply is called an Answer. Getting your reply to the Plaintiff is called service. You must serve a copy of your Answer or Answer and Counterclaim (Answer) within 21 days from the date you received the Summons and Complaint.

ANSWER: You can find the Answer form and instructions on the MN Judicial Branch website at www.mncourts.gov/forms under the "Civil" category. The instructions will explain in detail how to fill out the Answer form.

3. **You must respond to each claim.** The Answer is your written response to the Plaintiffs Amended Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Amended Complaint. If you think the Plaintiff should not be given everything they asked for in the Amended Complaint, you must say that in your Answer.

4. **SERVICE: You may lose your case if you do not send a written response to the Plaintiff.** If you do not serve a written Answer within 21 days, you may lose this case by default.

You will not get to tell your side of the story. If you choose not to respond, the Plaintiff may be awarded everything they asked for in their Complaint. If you agree with the claims stated in the Complaint, you don't need to respond. A default judgment can than be entered against you for what the Plaintiff asked for in the Amended Complaint.

To protect your rights, you must serve a copy of your Answer on the person who signed this Summons in person or by mail at this address:

Meagher+ Geer, P.L.L.P. 33
South Sixth Street Suite 4300
Minneapolis, MN 55402

5. Carefully read the Instructions (CN301) for the Answer for your next steps.

6. **Legal Assistance.** You may wish to get legal help from an attorney. If you do not have an attorney and would like legal help:

- Visit www.mncourts.gov/selfhelp and click on the "Legal Advice Clinics" tab to get more information about legal clinics in each Minnesota county.

- Court Administration may have information about places where you can get legal assistance.

NOTE: Even if you cannot get legal help, you must still serve a written Answer to protect your rights or you may lose the case.

7. **Alternative Dispute Resolution (ADR).** The parties may agree to or be ordered to participate in an ADR process under Rule 114 of the Minnesota Rules of Practice. You must still serve your written Answer, even if you expect to use ADR.

Dated: July 3, 2024
s/Timothy R. Schupp
Timothy R. Schupp (#130837)
tschupp@meagher.com
Meagher+ Geer, P.L.L.P.
33 South Sixth Street, Suite 4300
Minneapolis, MN 55402
(612) 338-0661
Attorneys for Plaintiff
Joseph Gatten

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