

SUMMONS

STATE OF MINNESOTA
COUNTY OF WASHINGTON
DISTRICT COURT
TENTH JUDICIAL DISTRICT

Case Type: Mortgage Foreclosure
Court File No. 82-CV-17-4420
Fay Servicing LLC, as servicer for
PROF-2013-S3 Legal Title Trust IV,
by U.S. Bank National Association, as
Legal Title Trustee,
Plaintiff,
v.

Gary S. Winter, State of Minnesota, Unity Bank, Discover Bank,
Sue Towner, John Doe and Mary Roe,
Defendants.

THE STATE OF MINNESOTA TO THE ABOVE-NAMED DEFENDANTS:

1. YOU ARE BEING SUED. The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this summons.

2. YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS. You must give or mail to the person who signed this summons a written response called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this summons located at:

Kevin T. Dobie
Usset, Weingarden & Liebo, P.L.L.P.
4500 Park Glen Road, #300
Minneapolis, MN 55416

3. YOU MUST RESPOND TO EACH CLAIM. The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS. If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the complaint. If you do not want to contest the claims stated in the complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the complaint.

5. LEGAL ASSISTANCE. You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.

6. ALTERNATIVE DISPUTE RESOLUTION. The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

7. THIS LAWSUIT MAY AFFECT OR BRING INTO QUESTION TITLE TO REAL PROPERTY located in Washington County, State of Minnesota, located at 18543 Langly Avenue North, Scandia, Minnesota 55073.

The object of this action is to foreclose a mortgage executed by and between Gary S. Winter and Paula J. Winter, as mortgagors to Mortgage Electronic Registration Systems, Inc. as mortgagee, dated September 30, 2003, and filed in the office of the Registrar of Titles on November 10, 2003, as Document No. 1138510. Said Mortgage was subsequently assigned to Bank of America, N.A., successor by merger to BAC Home Loans Servicing LP f/k/a Countrywide Home Loans Servicing LP by Document No. 1216146 and thereafter to Ditech Financial LLC f/k/a Green Tree Servicing LLC by Document No. 1222385, and thereafter to Plaintiff by Document No. 1245997 and encumbers the following described property, lying and being in the County of Washington and State of Minnesota:

Lot Five (5), Block Four (4), Bliss Plat First Division ("Property").

*Personal judgment is sought only against Gary S. Winter.

Minnesota General Rules of Practice set forth alternative dispute resolution processes. These processes are defined and discussed in Rule 114 and may be available as a method of resolving this litigation.

Dated: October 2, 2017

USSET, WEINGARDEN AND LIEBO, P.L.L.P.

By: /s/ Kevin T. Dobie

Kevin T. Dobie, No. 388322

Attorney for Plaintiff

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