

SUMMONS

STATE OF MINNESOTA
COUNTY OF HENNEPIN
DISTRICT COURT

FOURTH JUDICIAL DISTRICT

Case Type: Wrongful Death

Court File No: 27-CV-25-705

Sue Zmuda, Trustee for the Heirs
and Next-of Kin of Frederic George
Zmuda, Deceased,
Plaintiff,

v.

Above the Rest Floors and More,
LLC; Rachel Phoebe f/k/a Rachel
Phoebe Waller f/k/a Rachel Phoe-
be Lynette Lunsford; Ronald Jason
Merritt; and Elissa Jean Merritt f/k/a
Elissa Jean Palmer f/k/a Elissa
Jean Elsen,
Defendants.

THIS SUMMONS IS DIRECTED
TO THE ABOVE-NAMED DEFEN-
DANTS:

1. YOU ARE BEING SUED.

The Plaintiff has started a lawsuit
against you. The Plaintiff's Com-
plaint against you is attached to
this Summons. Do not throw these
papers away. They are official pa-
pers 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
21 DAYS TO PROTECT YOUR
RIGHTS.**

You must give or mail to
the person who signed this Sum-
mons **a written response** called
an Answer within 21 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:

Schwebel Goetz & Sieben

5120 IDS Center

80 S. 8th Street

Minneapolis, MN 55402

**3. YOU MUST RESPOND TO
EACH CLAIM.**

The Answer is your
written response to the Plaintiffs
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 every-
thing 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 21 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 judg-
ment 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 An-
swer to protect your rights or you
may lose the case.**

**6. ALTERNATIVE DISPUTE
RESOLUTION.**

The parties may
agree to or be ordered to partici-
pate in an alternative dispute res-
olution 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 alterna-
tive means of resolving this dispute.

I hereby acknowledge that sanc-
tions may be awarded pursuant to
Minn. Stat. § 549 .211.

Dated: January 2, 2025

SCHWEBEL GOETZ & SIEBEN, P.A.

By /s/ Cole J. Dixon (#0389444)

Phillip H. Wagner (#0505709)

ATTORNEYS FOR THE PLAINTIFF

5120 IDS Center

80 South Eighth Street

Minneapolis, Minnesota

55402-2246

Telephone: 612-377-7777

Fax: 612-333-6311

Email: cdixon@schwebel.com

pwagner@schwebel.com

Published in the

Sun Current

January 23, 30, February 6, 2025

1446888