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STATE OF MINNESOTA DISTRICT COURT

COUNTY OF OTTER TAIL SEVENTH JUDICIAL DISTRICT

- -

Stephen Roy Svendsen,

Plaintiff,

vs.

Pamela Joy Minten, Ken Laney, Mikel Bruce Olson, Fergus Falls HRA Christopher Harold Harig, Ryan Muchow, City of Fergus Falls,

Respondents.

Appellate Court File:
District Court File: 56-CV-24-1426

Transcript of Proceedings

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MOTION HEARING

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The above-entitled matter came before the Honorable Kevin M. Miller, Judge of District Court, at the Otter Tail County Courthouse, Fergus Falls, Minnesota, on May 22, 2026, via Zoom technology.

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APPEARANCES

For the Plaintiff:	Petitioner appeared pro se.
For the Defendants: Pamela Joy Minten Mikel Bruce Olson Fergus Falls HRA	Jack Buck 218 NP Avenue Fargo, ND 58107
For the Defendants: City of Fergus Falls Ken Laney	No appearances made.

Dana Eifert
Official Court Reporter

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(Proceedings commenced.)

THE COURT: All right. At this time, the Court will call the matter set for 10:30, which is titled Stephen Svendsen versus Pamela Minten et al.; file 56-CV-24-1426.

I have Mr. Svendsen here on my screen. If you could unmute and confirm that you can hear me, sir?

Mr. Svendsen, are you there?

(No response from the Plaintiff.)

THE COURT: I have Mr. Buck on behalf of the Defendants. Mr. Svendsen?

Just one moment here. We're going to briefly recess. One second here.

(A brief recess is taken.)

THE COURT: All right. And I've -- we've just been able to confirm Mr. Svendsen is in another courtroom right now. So we're going to just recess briefly; but he should be on his way soon.

MR. BUCK: Okay.

THE COURT: Thank you.

(A brief recess is taken.)

THE COURT: And the Court is going to go back on the record. I think I saw Mr. Svendsen pop on the screen. I don't know if he's still in that other courtroom, however.

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THE PLAINTIFF: Your Honor, Mr. Svendsen is present, and the other hearing was concluded.

THE COURT: Okay. I just wanted to make sure that it wasn't an accidental thing, and I didn't want to be stepping into your other hearing here.

All right. So prior to today, the Courts had the opportunity to review the motions that are before the Court and the appropriate memos.

Mr. Svendsen, I'm going to start with you. We had the motion to stay and the motion for relief on the disclosure issue, or the failure. So you may proceed if there's anything further that you would like to add to your filings.

THE PLAINTIFF: Your Honor, there is not. I would just reserve brief comments after the Defendants have spoken.

THE COURT: All right. Mr. Buck.

MR. BUCK: Yeah, thank you, Your Honor. I'll just keep it brief.

With the, I guess, the motion with respect to the alleged failure to disclose, I mean, I think the timeline is pretty clear there about when the requests were served on the HRA, and that the HRA initially responded with documents that were within its possession. And then sixteen days after the initial response deadline, the HRA

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supplemented their response with one additional email that was found. I think that supplementation was timely, and I don't think that there's any prejudice whatsoever to Mr. Svendsen. It was served to him on -- back on -- it was months ago, on November 7th, I believe of '25, is when this is first served on Mr. Svendsen. So I can't see any prejudice whatsoever by this supplementation, and I believe the supplementation was proper under the Minnesota Rules of Civil Procedure.

And then moving on to the motion for stay. I think it's clear that this is not a proper motion for stay before the Court. And under Rule 62, and that there is no other -- first, there isn't a judgment entered in this case. And second, there is no corresponding motion under Rule 59, 60, 50.02, or 52.02. I think the -- Mr. Svendsen is apparently trying to appeal or apply a motion to reconsider the Court's analysis of his discovery motions back on -- when was that? November of '25 as well. And that's just not appropriate under the Minnesota Rules of Civil Procedure. We have some frivolous motion practice going on here, and the Court should deny Plaintiff's motion to stay the enforcement of the sanction award.

That's, that's all, Your Honor. Thank you for your time.

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THE COURT: All right. Mr. Svendsen.

THE PLAINTIFF: Your Honor, I would just refer the Court to the timelines that have been identified and documented in the papers that Plaintiff has submitted. And that will refute Mr. Buck's memorandum and his statement to the Court.

THE COURT: All right.

And anything further, then, Mr. Buck, from that statement?

MR. BUCK: No, Your Honor.

THE COURT: All right. The Court will take this matter under advisement and will issue the appropriate order within the timeframes allowed, and that will conclude our hearing here today.

Thank you, everyone.

MR. BUCK: Oh, --

THE PLAINTIFF: Thank you, Your Honor.

MR. BUCK: -- ah, Your Honor, I ---

THE COURT: Hold on.

MR. BUCK: -- I believe that the HRA had a motion for protective order.

THE COURT: Oh. I am sorry, Mr. Buck. You are correct. I had made my notes in a poor -- poor order where once I started taking notes here, I overlooked that. So I apologize. Yes, you did have that protective

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order. So, Mr. Buck.

MR. BUCK: Yeah, briefly, Your Honor. And again, thank you for your time this morning. I appreciate it.

The Rules -- Rule 26 is clear that discovery -- I'll just quote the rule; that you may only obtain discovery relevant to any party's claim or defense that is proportional to the needs of the case, considering the importance of the issues at stake, the amount in controversy, and the plaintiff's relative access to relevant information. And then whether there is a burden or expense of the proposed discovery, and whether that burden or expense outweighs any benefit of the discovery. And that's exactly what we have at issue here.

The Court already, in the Court's memorandum on the motion to dismiss, the Court limited Plaintiff's discovery to the breach of contract, and specifically the thirty-five-hundred dollars that the Court determined were damages relevant to that breach of contract claim at the time of the motion to dismiss. And after this order, now, we've been served with mountains of discovery. I think, I, I lost count at the request for admissions. I know it's over three hundred. I don't have an exact count on it. And interrogatories and requests for production of documents served on Mr. Olson, who is no

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longer a party to this action. And, and it's clear, you know, I think what is telling is a statement that we received from Plaintiff regarding his past litigation experience, where apparently defense counsel in that case filled over a million dollars, and that there's fourteen banker's boxes full of pleadings. And I don't know how far off we are on this, but we are getting close to banker's boxes being filled with documents from both motion practice and now discovery. And it's unfortunate because that is not what our justice system is about, and that is why we have the motion for a protective order to prohibit abuse of discovery practice like this.

And with respect to the claim that is still pending before this Court, the breach of contract, Plaintiff himself even admits in his briefing that the issues are whether he breached the contract or and the lease, whether the HRA breached the lease. And okay, if somebody did breach the lease, then what are the damages from that breach? Those are the only issues that we have before this Court.

It's really unclear to me what further discovery is needed. Plaintiff has possession of the lease at issue. Plaintiff has possession of all the correspondence between him and the HRA regarding his tenancy. He has his tenant file from the HRA. It seems to me that

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Plaintiff is already in possession of all of the relevant discovery that is needed for this remaining claim. It is really unclear to me what, why there is any need for over three hundred requests for admissions to the HRA.

So with that, Your Honor, just under the Rule 26, the HRA would respectfully request that the -- that the Court enter the proposed order submitted to it, protecting -- prohibiting the Plaintiff from seeking further discovery from the HRA. Or, at a minimum, seeking only discovery that is relevant to the claims and proportional to the needs of the case, with the only breach of contract claim for thirty-five hundred dollars worth of damages at this time, so.

Thank you, Your Honor.

THE COURT: All right. Mr. Svendsen, your response?

THE PLAINTIFF: Yes, Your Honor, I do have a response.

Mr. Buck cites proportionality, and that certainly is what the rule states. And so if Mr. Buck is willing to exclude their -- what's in the record as my Exhibit 47, all of those witnesses; that would resolve the issue as well.

However, document 204, index 204, is a letter dated March 30th, two defendants, explaining the need for the

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-- so many admissions. Basically, it's to replace depositions that the Plaintiff is not in a position to conduct. They named, I don't know how many witnesses, but it's something like fifteen or twenty, to establish their defamatory claim that there was harassment involved. And so that harassment, or whatever a future court determines it to mean, has been ongoing. It's been in front of many people. Not just the court, city officials, numerous people. So that is hung in the balance all this time. Almost four -- three and a half years ongoing. And that from Plaintiff's viewpoint is the crux of the matter. And that's why this has been so vigorously pursued, and will be if it doesn't settle. It will just go as long as Plaintiff can pursue it to achieve clarity on that issue.

And so, instead of just citing the lease it's -- I think it's paragraph 16.9, which Defendants have recently disclosed, three and a half years after they made the harassment -- the numerous harassment claims. The lease doesn't identify harassment anywhere. There's not a word in it, and Your Honor's order noted that. And so the Defendants chose to use that as a way to evict, illegally evict me.

And so this let-- and to that end, they had, they had two lists of documents. One prepared on

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September 20th, which was the day after the Mikel Olson email to Pam Milton (sic) -- Minten, that cited the correct federal authority to determine if there was a breach. And so that email occurred about five hours after I sent them the first request for information. And then they -- and they produced their first list of things going back years with basically instances of lease-old issues, various lease-old issues, valid complaints in regard to conditions. And the interaction until September 15th, 2022, was quite normal. And you can tell that from the emails. There was no hint of inappropriate -- of accusations of inappropriate actions. Not a hint. And there's a huge amount of evidence to that end, and it exists in my Exhibit 47.

And so the discovery, the request for admission to go that. Go to every one of those people, and basically, they say -- admit, even if, even if these things they alleged in Exhibit 47 are true, they're asking them to admit the document, and they're asking them to admit that it was not a lease violation. And they're asking them to admit that it was not cited as a lease violation at any time prior to -- if it was even cited -- October 11th, when I received their files, 2022.

And so that, together with -- let me just get my notes.

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(Brief pause in the proceedings.)

THE PLAINTIFF: So, I won't read off all these names, but that exhibit does, does list all of them. And so that was on, that was on March 30th. And so they had my discovery requests on March 31st. And so Mr. Buck waited twenty-nine-and-a-half days to file his motion for a protective order. And he -- and the, the meet and confer occurred in the context of a different case. We were discussing a -- it was in a meeting for a discovery conference that occurred right around April 30th or April 29th in the afternoon. And so he asked me, politely, if he could discuss my discovery requests, which were due the next day. They were due the following day. And I said, "Sure." And so we discussed them. He asked me if I would compromise, and, and bring them down to what he considered to be reasonable numbers. And it didn't sound like he had read my letter for the reasoning behind the need for them. They've named, they've identified these people, and it's their documents, and just asking them to verify so that everything is cut and dry, and clearer to, you know, whatever trajectory this case eventually takes. And so that's, that's background on Mr. Buck's motion. And with that, I'll rest, Your Honor.

THE COURT: All right. Mr. Buck, anything

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further?

MR. BUCK: Nothing further, Your Honor.

THE COURT: All right. Until I -- I will likely try to issue that order for the protective order regarding that sooner, just so parties know where things are going and keep discovery moving. But until I do issue that order, I'm not going to require Mr. Olson or HRA, or anyone, to respond to any of the contested discovery requests until that order issues.

THE PLAINTIFF: Your Honor?

THE COURT: Mr. Svendsen, yes.

THE PLAINTIFF: Your Honor, Plaintiff understands and agrees that Mr. Olson is not subject to the discovery requests that were directed to him.

THE COURT: Okay. All right. Well, that will take care of that part, at least. But it'll be -- still be a portion of my order, but as long as you understand that, but I'm still not going to have any of those disputed or requests that are subject to this motion be ordered to be answered until my order gets out. Which, like I said, I'm going to work very diligently to get it out sooner rather than later so everybody knows how to proceed.

All right. And that will conclude our hearing here today.

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Thank you, everyone, for appearing here today. Have a good weekend.

THE PLAINTIFF: Thank you, Your Honor, --

MR. BUCK: Your Honor.

THE PLAINTIFF: -- you as well.

(Proceedings concluded.)

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Reporter's Certificate

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I, Dana Eifert, hereby certify that I am an official court reporter in the Seventh Judicial District of the State of Minnesota; that as such reporter I digitally recorded the proceedings in the above-entitled action; that I thereafter transcribed to typewriting the foregoing transcript from the digital recordings taken in Otter Tail County, Minnesota on May 22, 2026; and that the foregoing transcript consisting of thirteen (13) pages, constitutes a full, true, and accurate transcription of said proceeding.

Dated: September 25, 2026

/s/ Dana Eifert

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