

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF RICE

THIRD JUDICIAL DISTRICT

Benda for Common-sense, a Minnesota
Non-profit Corporation, and Kathleen Hagen,

Court File No. 66-CV-22-2022

Plaintiffs,

v.

**ORDER FOLLOWING HEARING
ON EX PARTE MOTION**

Denise Anderson, Director of Rice County
Property and Tax Elections,
Defendant.

The above-entitled matter came on for a remote motion hearing before the undersigned Judge of District Court on September 8, 2022, at the Waseca County Courthouse, Waseca, Minnesota, following the issuance of an Ex Parte Order to Suspend the Destruction of Election Materials filed August 31, 2022. Plaintiffs were represented by Attorney Matthew L. Benda of Peterson, Kolker, Haedt & Benda, Ltd. Defendant was represented by Attorney Ann R. Goering of Ratwik, Roszak & Maloney, P.A.

WHEREAS, On August 25, 2022, Plaintiff filed an Ex Parte Notice of Motion and Expedited Motion to Suspend the Destruction of Election Materials. On August 31, 2022, District Court Judge Karie Anderson granted said motion and issued an Order to Suspend the Destruction of Election Materials. On September 2, 2022, Plaintiff filed the 1st Amended Notice of Motion and Motion to Suspend the Destruction of Election Materials and Other Relief. The hearing on said motion was heard on September 8, 2022, where the Court heard arguments from counsel for the parties.

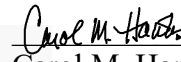
Based upon all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

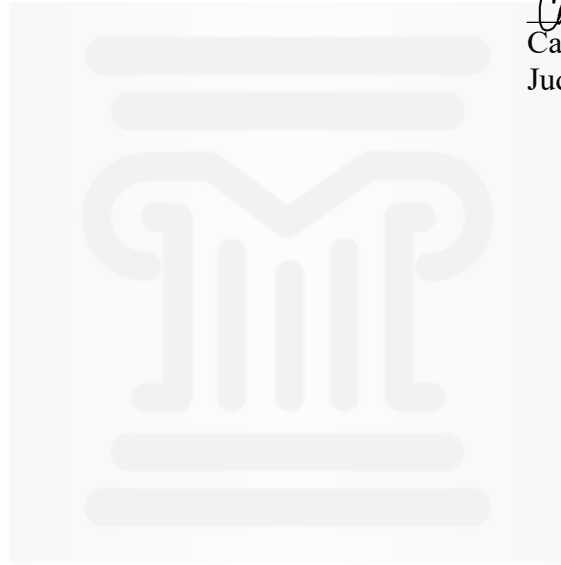
1. The Order to Suspend the Destruction of Election Materials filed August 31, 2022, shall remain in full force and effect until the outcome of the hearing on the Petition.
2. Plaintiffs' motion to require Defendant to provide a detailed abstract (including description, date and individual) of all Election Materials (as defined in Minn. Stat. 204B.40) that have been destroyed in the past 24 months by Defendant, Rice County Staff, and any vendors or third parties is hereby RESERVED pending the outcome of the hearing on the Petition.
3. Plaintiffs' motion for an Order pursuant to Rule 26.06(d), and Rule 16 of the Minnesota Rules of Civil Procedure for the issuance of a scheduling order and court ordered discovery plan in hereby RESERVED pending the outcome of the hearing on the Petition.

4. Plaintiffs' motion for an Order requiring Defendant to reimburse Plaintiff for any costs, disbursements and attorney fees allowed by Minn. Stat. 13.08, subd. 4 is hereby RESERVED pending the outcome of the hearing on the Petition.
5. The remote hearing on the Petition in this matter is set for **October 26, 2022, at 1:30 p.m.** at the Waseca County Courthouse, Waseca, Minnesota.

BY THE COURT:

Hanks, Carol

 2022.09.13
Carol M. Hanks 08:53:50 -05'00'
Judge of District Court



MINNESOTA
JUDICIAL
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