

**STATE OF MINNESOTA
COUNTY OF RAMSEY****DISTRICT COURT
SECOND JUDICIAL DISTRICT**

Troy Kenneth Scheffler,
Plaintiff,

Court File Number: **62-CV-25-6308**

Case Type: Civil Other/Misc.

Judge: Laura Nelson

vs.

**PLAINTIFF'S REPLY TO
DEFENDANTS' OPPOSITION TO
MOTION FOR SANCTIONS**

Ramsey County,
Bob B. Fletcher, and
Tim Gulden,
Defendants.

INTRODUCTION

Defendants' opposition contains a stunning admission: they "apologize" for violating Minn. Stat. § 549.211. While claiming this isn't fatal, it exemplifies a broader pattern—file first, figure out the rules later, apologize if caught. This is precisely the bad faith conduct Rule 11 is designed to punish.

ARGUMENT

I. DEFENDANTS ADMIT THEIR VIOLATIONS

Buried on page 5 of their opposition, Defendants concede: "This is true and Defendants apologize for this omission in its previous filings." They violated Minn. Stat. § 549.211—a parallel provision to Rule 11 that requires the same certification.

This admission is significant not because the omission alone mandates sanctions, but because it demonstrates Defendants' cavalier approach to procedural requirements. They couldn't even include a basic required statement in their motion. Why? Because it was never meant to be a legitimate filing—it was meant to intimidate a pro se plaintiff into going away.

II. THE PATTERN OF VIOLATIONS CONTINUES

Defendants claim they properly met and conferred, but admit this occurred on August 20, 2025—over a month AFTER serving their July 14 motion. Rule 115.10 requires meeting and conferring "prior to" bringing the motion, not retroactively after being called out.

The timeline reveals the truth:

- July 14: Serve defective motion without meeting and conferring
- August 11: File the defective motion
- August 13: Plaintiff serves draft sanctions motion
- August 20: Defendants suddenly want to "meet and confer"
- September 3: File a third version of the motion

This isn't good faith litigation; it's making it up as they go along.

III. THE ANTI-PRO SE BIAS IS EVIDENT

Defendants refused Plaintiff's proper waiver of service request, then filed:

- A procedurally impossible motion in an unfiled case
- The same motion three different times
- Arguments so weak they cite irrelevant medical malpractice cases
- A motion addressing only 2 of 3 claims for no strategic reason

The message is clear: they thought they could blow off a pro se litigant with shoddy work. As Plaintiff noted in his August 13 memorandum, Defendants would advance "completely frivolous" arguments—a prediction now proven true by their claim that 2021 facts somehow defeat 2025 violations.

IV. THE SUBSTANTIVE ARGUMENTS REMAIN FRIVOLOUS

Even now, Defendants argue that a 2021 hyperlink defeats 2025 statutory violations—that historical compliance negates current violations. This temporal impossibility insults the Court's intelligence. As Plaintiff explained in his opposition: "In 2021, Fletcher was listed" does not contradict "In 2025, the policy fails to identify the Responsible Authority."

This is like arguing: "In 2021, the building had a roof" disproves "In 2025, the building lacks a roof." It's not just wrong—it's absurd.

V. THE COST TO PLAINTIFF AND THE JUDICIAL SYSTEM

Defendants' bad faith has forced Plaintiff to:

- Pay \$50 for unnecessary service
- Respond to three separate versions of the same motion
- File motions for default and sanctions that should never have been necessary
- Spend countless hours addressing procedural chaos instead of the merits

Meanwhile, this Court must sort through the procedural mess Defendants created. This is precisely why Rule 11 exists—to prevent parties from turning simple cases into procedural quagmires through incompetence or malice.

VI. SANCTIONS ARE MANDATORY UNDER THESE CIRCUMSTANCES

Rule 11 exists to prevent exactly this conduct:

- Filing procedurally defective documents (admitted)
- Multiplying proceedings (three identical motions)
- Advancing frivolous arguments (temporal contradictions)
- Discriminating against pro se litigants (pattern of conduct)
- Wasting judicial resources (piecemeal motion practice)

The violation is not technical—it's substantive. Defendants have abused the litigation process from day one.

CONCLUSION

Defendants have turned a straightforward MGDPA case into a procedural quagmire through incompetence or malice. They've admitted violations, filed triple motions, and advanced arguments that defy basic logic. They ignored a data request for four years, then tried to ignore this litigation too.

The Court should impose sanctions to deter future abuse of pro se litigants and waste of judicial resources. At minimum, Defendants should pay all costs Plaintiff incurred responding to their defective filings, including the \$50 service fee they forced by refusing waiver. More importantly, the Court should send a message: government entities cannot treat citizens with contempt then hide behind procedural games.

ACKNOWLEDGMENT

Plaintiff acknowledges that sanctions may be imposed under Minn. Stat. § 549.211.

Respectfully submitted,

/s/ **Troy Scheffler**

09/24/2025

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