

**State of Minnesota  
County of Ramsey**

**District Court  
Second Judicial District**

Troy Kenneth Scheffler,

Plaintiff,

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

Judge: Laura Nelson

Case Type: Civil Other/Misc.

vs.

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

**Plaintiff's Memorandum in Support for  
Motion for Default Judgement Against  
Defendant Ramsey County**  
(Minn. R. Civ. P. 55.01(b))

Defendants.

## **INTRODUCTION**

Defendant Ramsey County is in default. Plaintiff seeks damages entered against Defendants in the amount in excess of \$50,000 for the claims under the Minnesota Data Practices Act.

## **STATEMENT OF FACTS**

On 05/02/2025, Plaintiff did serve via USPS and via email courtesy copies, Waiver of Service of Summons under Minn. R. Civ. P. 4.05 to all Defendants. All Defendants ignored the requests.

On 07/02/2025, Defendant Ramsey County was personally served the Summons and Complaint via process server at the cost of Plaintiff of \$50.

That 21 days have since passed without Defendant Ramsey County timely serving a meaningful response to the Summons and Complaint per Minn. R. Civ. P. 12.01.

## **ARGUMENT**

### **I. PLAINTIFF IS ENTITLED TO DEFAULT JUDGMENT AGAINST DEFENDANT RAMSEY COUNTY**

*Defendant failed to serve a meaningful response within 21 days following service of a Summons and Plaintiff's Second Amended Complaint. Minn.*

*R. Civ. P. 12.01*

Summons and Complaint was served upon Ramsey County on 07/02/2025. Response to the Summons and Complaint by Ramsey County was due for service upon Plaintiff by 07/23/2025. To date the defendants have failed to serve a meaningful response making them clearly in default. See: Minn. R. Civ. P 12.01, "Defendant *shall* serve an answer within 21 days after service of the summons upon that defendant unless the court directs otherwise pursuant to Rule 4.043".

In the alternative, a defendant may in lieu of a responsive pleading, serve motion under Minn. R. Civ. P. 12.02 within 21 days. Motions under 12.02 are dictated under Minn. R. Gen. P. 115.

On 07/14/2025, Defendants served, but did not file, a "Notice and Motion to Dismiss Plaintiff's Complaint". However, on no level did this motion meet even rudimentary levels of compliance to rule and was a disingenuous attempt to stall and frustrate process.

Said notice claimed it was based upon Minn. R. Civ. P. 12.02(e), but failed to elaborate further.

Defendant Ramsey failed to Meet and Confer with Plaintiff as required under 115.10. Defendant Ramsey failed to file the motion with this Court, making it clear it had no intent on following through with the motion in good faith as Notice requires a good faith attempt at obtaining a hearing date under 115.02. Defendant

Ramsey failed to include a memorandum, which if they had followed the requirement to meet and confer, Plaintiff may have considered the motion brought in good faith. Defendant Ramsey literally failed to meet any requirement under Rule 115. Defendant Ramsey failed to include a disclaimer required under Minn. Stat. 549.211, subd. 1.

The consequences of the failure to meaningfully respond is addressed in Rule 55.01, which states:

When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend within the time allowed therefor by these rules or by statute, and that fact is made to appear by affidavit, judgment by default shall be entered against that party as follows:

(b) In all other cases, the party entitled to a judgment by default shall apply to the court therefor. If a party against whom judgment is sought has appeared in the action, that party shall be served with written notice of the application for judgment at least 14 days prior to the hearing on such application. If the action is one for the recovery of money only, the court shall ascertain, by a reference or otherwise, the amount to which the plaintiff is entitled, and order judgment therefor.

Defendant Ramsey willfully ignored the MGDPA request made by Plaintiff.

Defendant Ramsey ignored the Waiver of Summons served upon them by Plaintiff.

Now Defendant Ramsey ignores making a meaningful or good faith response to the summons and complaint served upon them.

Accordingly, Plaintiff is entitled to have this Court enter default judgment against the blatantly racially discriminatory and continued willful conduct by defendant Ramsey County in the amount of \$50,000 for compensatory damages (pled in excess of \$50,000), \$17,000 for exemplary damages, and refusal to waive service costing Plaintiff \$50, making a minimum award of \$67,050 appropriate.

## CONCLUSION

For the reasons stated herein, Plaintiff respectfully requests that the Court enter an order for default judgment in Plaintiff's favor and against Defendant Ramsey County in the amount of \$67,050.

## ACKNOWLEDGEMENT

Plaintiff Troy Scheffler hereby acknowledges that sanctions may be imposed under the circumstances set forth in Minn. Stat. § 549.211.

Respectfully,

/s/ Troy Scheffler

08/04/2025

Troy Scheffler

Plaintiff

26359 Shandy Trl

Merrifield, MN 56465

763-225-7702