

*From the City of Kasson (Attorney Hoff)*

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DODGE

THIRD JUDICIAL DISTRICT

State of Minnesota,  
By Kasson Alliance for Restoration, Inc.,

Case Type: Other Civil  
Court File No: 20-CV-07-516

Plaintiff,

v.

**DEFENDANT'S FIRST SET OF  
INTERROGATORIES**

City of Kasson, a Minnesota  
municipal corporation,

Defendant.

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**TO: PLAINTIFF KASSON ALLIANCE FOR RESTORATION, INC. AND ITS  
ATTORNEY RODNEY PETERSON, 122 WEST MAIN STREET, SUITE C,  
KASSON, MINNESOTA 55944:**

Pursuant to Minn. R. Civ. P. 33, Defendant City of Kasson demands that Plaintiff answer the following Interrogatories within thirty (30) days of the service hereof. These Interrogatories are subject to the following instructions and definitions.

**DEFINITIONS AND INSTRUCTIONS**

1. These Interrogatories apply to any documents in your possession, custody, or control or in the possession, custody or control of your attorneys, agents, or employees. They extend to copies of documents which you have a right or opportunity to copy, regardless of ownership, as well as to documents located outside the territorial jurisdiction of this court, but nevertheless in your possession, custody, or control.

2. If your answer is that the documents are not in your possession or custody, describe in detail the unsuccessful efforts you made to locate the records. If your answer is that the documents are not in your control, identify who has control and the location of the records. If an interrogatory seeks a specific document or itemized category which is not in your possession,

control or custody, provide any document you have that contains all or part of the information contained in the requested document or category.

3. If any information, whether or not written, is responsive to any of the following Interrogatories, and is withheld based on any claims of privilege, describe generally the substance or subject matter of the information, communication or document withheld, state the date of the communication or document, state the privilege being relied upon or claimed and the basis therefore, identify the persons involved, and identify all persons or entities who have had access to such information, communication, or document.

4. ~~If any privilege is claimed with respect to any document requested, or if any document has been lost, misplaced, destroyed, or for some other reason is not produced, please indicate that all responsive documents have not been produced and state:~~

- a) The nature of the document (e.g., letter, memorandum, report, etc.);
- b) The date the document bears or, if undated, the date it was written or created;
- c) The author of the document;
- d) The identity of each person who received or reviewed the document;
- e) The present or last known location or custodian of the document; and
- f) The reason, specifying all relevant factors, why the document was not produced.

5. These Interrogatories are continuing in nature. If you obtain or discover further responsive information after answering these Interrogatories, such information is within the scope of these Interrogatories and your answers should be supplemented to provide such information.

6. "Document" has the broadest meaning that can be ascribed to it consistent with Minn. R. Civ. P. 34 and includes recordings of information of all kinds, whether written, typed, electronically video or audio-taped, on information storage discs or other technology, or preserved

in any way, shape, or form. The term includes all versions, whether an original or a contemporaneously or subsequently made copy, regardless of whether such copy is not identical by reason of any notation made thereon, or otherwise. The term encompasses, but is not limited to, correspondence, memoranda, minutes, contracts, reports, studies, checks, statements, receipts, summaries, pamphlets, books, inter-office and intra-office communications, offers, notations of conversations, notations of telephone calls, meetings, or other communications, bulletins, printed matter, computer printouts, emails, teletypes, telefaxes, invoices, worksheets, and all drafts, alterations, modifications, changes, and amendments of any kind, and mechanical, or electronic records or representations of any kind.

7. "School" means the Kasson Elementary School located at 101 3rd Avenue NW in Kasson, Minnesota.

8. "Identify," as it pertains to individuals, means to state the person's full name (including any "nickname" or alias by which the person was known during the transaction which is the subject of this lawsuit); address and phone numbers of home and business (both during the aforesaid transaction and at present, if different); his employment position (both during the aforesaid transaction and at present, if different); and date of birth.

9. "Identify," as it pertains to documents, means to state the date, author or addressor, type of document (e.g., letter, memorandum, estimate, etc.), all recipients of the document or copies of it, and its present location or custodian, or both. If such document was, but no longer is, in your possession or subject to your control, state what disposition was made of the document.

10. "Describe" means to relate in as full and complete a manner as possible the substance of any agreement, conversation, writing, or other thing requested to be so identified. Such description shall include the date and place of any conversation, as well as the identities of all

individuals present. When the description of a document is requested, you shall specify the date, place, and circumstances of creation of the document and give a verbatim description (or as close thereto as possible) of the contents, as well as give its present location and in whose possession the document is. In lieu thereof, a copy of the document may be supplied.

11. "You" or "your" means Plaintiff, its employees and agents, and all other persons acting or purporting to act on Plaintiff's behalf, including all past or present employees and agents exercising discretion, making policy, and making decisions or participating in any matter or relating to the Complaint of Plaintiff or any subsequent pleadings in this lawsuit.

12. In answering these Interrogatories, furnish all information, however obtained, including hearsay which is available to you, and information known by or in possession of yourself, your agents and your attorneys, or appearing in your records.

13. A question which seeks information contained in, or information about, or identification of any documents may be answered by providing a copy of such document for inspection and copying, or by furnishing a copy of such document without a Request for Production.

14. If you cannot answer the following Interrogatories in full after exercising due diligence to secure the full information to do so, so state and answer to the extent possible, specifying your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion, and detailing what you did in attempting to secure the unknown information.

15. Objection will be made at trial to the admission of information requested herein which is not provided,