

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT
CASE TYPE: HARASSMENT

In Re the Matter of:

Court File No.: 62-HR-CV-21-362

Brittany Anderson,

Petitioner.

Vs.

Timothy Allyn Hutchinson,

Respondent.

**PETITIONER'S
NOTICE OF EMERGENCY
MOTION AND MOTION**

TO: TIMOTHY ALLYN HUTCHINSON, ABOVE-NAMED SELF-REPRESENTED
RESPONDENT, 1773 GARDEN LANE, WHITE BEAR LAKE, MN 55110:

YOU WILL PLEASE TAKE NOTICE that on the ___the day of_____, 2023, at _____
a.m./p.m., or as soon thereafter as counsel can be heard, before the Honorable Elizabeth
Clysdale, Referee of Hennepin County District Court, or other Judicial Officer, Petitioner will move
the Court for an Order as follows:

1. Ordering and directing that the timelines prescribed for in the rules for service of pleadings be waived due to the emergency nature of this proceeding, pursuant to Minn. Gen. R. Prac. 303.04 .
2. Setting this matter for a hearing within fourteen days of the date this emergency relief is granted pursuant to Minn. Gen. R. Prac. 303.04(f).
3. Order an immediate extension of the current May 27, 2023 expiration date set forth in the Harassment Restraining Order dated May 27, 2021 until the matter can be heard before the court.
4. Making a determination that there is good cause for an extension of a Harassment Restraining Order against Respondent in excess of 2 years due to violations of the May 27, 2021 Harassment Restraining Order and communicated intent to resume harassment that violates both the privacy of Petitioner but endangers the security of innocent third parties at Petitioner's Place of Employment.
5. Ordering that the renewed HRO be in effect until May 27, 2033.

6. Ordering that Respondent have no direct or indirect contact with Petitioner, including any visits to or phone calls to the protected person, contact via electronic means such as email or social networking sites, threats or assaultive behavior to the protected person's residence, and/or taking picture of a protected person without permission of the Petitioner.
7. Ordering that Respondent is prohibited from being within two city blocks of Petitioner's home, currently at 725 4th Street E., St. Paul, MN 55016, or any future residences.
8. Ordering that Respondent is prohibited from being within two city blocks of Petitioner's job sites at University of Minnesota Medical Center, 500 SE Harvard St., Minneapolis, MN 55455, with the restriction to include the patient/visitor parking ramp on the corner of SE Harvard St. and Delaware Street.
9. Ordering that Respondent be restrained from posting websites or electronic social media posts about Petitioner.
10. Ordering that Respondent be restrained from public picketing of Petitioner near her residence or place of employment.
11. Ordering that Respondent be restrained from harassing, stalking, or threatening Petitioner, or engaging in other conduct that would place the Petitioner in reasonable fear of bodily injury and that Respondent be prohibited from the use, attempted use or threatened use of physical force against the Petitioner that would reasonable be expected to cause bodily injury.
12. Ordering that Respondent be restrained from all direct and indirect communication to Petitioner, including through Petitioner's legal counsel.

All responsive pleadings shall be served and mailed to or filed with the court administrator no later than seven days prior to the scheduled hearing. The court may, in its discretion, disregard any responsive pleadings served or filed with the court administrator less than seven days prior to such hearing in ruling on the motion or matter in question.

Said Motion is based upon the Affidavit of Petitioner and all files, records, and proceedings herein.

NOTICE TO THE OTHER PARTY

The Rules Establish deadlines for responding to motions. All responsive pleadings shall be served and mailed to or filed with the court administration no later than seven days prior to the scheduled hearing. The court may, in its discretion, disregard any responsive pleadings served

or filed with the court administrator less than seven days prior to such hearing in ruling on the motion or matter in question.

The grounds for this motion are as stated in the attached Affidavit. If you want to respond to anything raised by the other party in his papers, your written response must be personally served on the other party at least seven (7) days before the hearing or mailed to the other party at least ten (10) days before the hearing. Responsive papers are available from the Court Administrator's office. Your responsive papers must be filed with the Court Administrator at least seven (7) days before the hearing. If you want to raise new issues at the hearing the other party has scheduled, your Motion and Affidavit must be personally served on the other party at least fourteen (14) days before the hearing or mailed to the other party at least seventeen (17) days before the hearing. Your papers raising new issues must be filed with the Court Administrator at least fourteen (14) days before the hearing.

Acknowledgments by Party Making Motion:

- a. I am not serving or filing this document for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
- b. The claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.
- c. The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.
- d. the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.
- e. The court may impose an appropriate sanction upon the attorneys, law firms, or parties that violate the above stated representations to the court or are responsible for the violation.
- f. I understand that the existing order remains in full force and effect and I must continue to comply with that order until a new order is issued.

CAPISTRANT VAN LOH, P.A.

Dated: May 18, 2023

By /s/ Daniel J. Van Loh

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