

CAH 71-0330-42072
CAH 71-0330-42076
CAH 71-0330-42077

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS

In the Matter of the Detachment of
Certain Real Property from the City
of Hills to Martin Township
(MBA Docket D-691)

FIRST PREHEARING ORDER

In the Matter of the Detachment of
Certain Real Property from the City
of Hills to Martin Township
(MBA Docket D-692)

In the Matter of the Detachment of
Certain Real Property from the City
of Hills to Martin Township
(MBA Docket D-693)

These matters came before Chief Administrative Law Judge Jessica A. Palmer-Denig for a joint prehearing conference on September 23, 2026.

David A. Owens, Klosterbuer & Haubrich, LLP, appears on behalf of Walnut Grove, Ltd., Diane J. Boatright, Trustee of the Lena J. Marbus Decedent Trusts FBO Dawn Wells, Sandra Peterson, and Pamela Jensen, and Nicholas Sandager (Petitioners). Matthew Gross, Quarnstrom & Deering, P.A., appears on behalf of the City of Hills (City). Douglas Bos, Clerk, appears on behalf of Martin Township (Township).

Based on Minn. Stat. § 414.06, .09 (2026), and Minn. R. 6000.1150 (2025), the Chief Administrative Law Judge issues the following:

ORDER

1. **Joint Proceedings.** These matters shall be heard simultaneously in the same hearing, but are not consolidated. Each proceeding shall have a separate record and a separate final order following the hearing. Any filings related to a petition for detachment shall be made into the record for that case as follows:

MBAU Docket No.	CAH Docket No.	Petitioner
D-691	71-0330-42072	Walnut Grove, Ltd.

D-692	71-0330-42076	Lena J. Marbus Decedent Trusts FBO Dawn Wells, Sandra Peterson, and Pamela Jensen
D-693	71-0330-72077	Nicholas Sandager

2. **Hearing.** The Court will hold a hearing in these matters on **October 27 and 28, 2026**, beginning at **9:00 a.m.** each day, at the Rock County Courthouse, 204 E. Brown Street, 3rd Floor Court Room, Luverne, Minnesota 56156.

3. **Prehearing Filings.** By **4:30 p.m.** on **October 20, 2026**, each party shall file at the Court of Administrative Hearings and serve upon any opposing party a witness list, exhibit list, and copies of their proposed pre-labeled exhibits.

- a. The witness list shall provide the following information regarding all witnesses that the party expects to call to testify at the evidentiary hearing: (1) name; (2) address; (3) occupation; (4) specific subject matter(s) on which witness is expected to testify; (5) whether witness is called as an expert and, if so, a summary of facts and opinions as to which each identified expert is expected to testify; and (6) good faith estimate of length of testimony, including foreseeable cross examination.
- b. Petitioners shall label their exhibits sequentially beginning with number 1 in MBAU Docket D-691, number 100 in MBAU Docket D-692, and number 200 in MBAU Docket D-693. The City shall label its exhibits sequentially beginning with number 300. The Township shall label its exhibits sequentially beginning with the 400. Foundation objections not raised at least two working days before the hearing are waived. See Minn. R. 1400.6950 (2025).
- c. **The parties are required to bring two extra copies of their pre-marked exhibits in tabbed binders, one for the Court and the other for the witnesses to use on the stand.**

4. **Subpoenas.** Requests for subpoenas for the attendance of witnesses or for the production of documents shall be made in writing to the Administrative Law Judge pursuant to Minn. R. 1400.7000, 6000.2210 (2025). A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at <https://mn.gov/oah/self-help/forms-subpoenas/>. Subpoena requests shall be submitted to the Administrative Law Judge no later than **4:30 p.m.** on **October 13, 2026**. Upon issuance, the requesting party must arrange for service of the subpoena.

5. **Stipulations/Settlement.** The parties are encouraged to stipulate to matters not in dispute. If the parties reach a resolution prior to hearing, the parties shall promptly notify the Court.

6. **Participation by the Public.** Members of the public may attend the hearing and participate as allowed by Minn. R. 6000.1200 (2025). The Court will also accept written comments prior to the hearing. Such comments shall be submitted so that they are received by the Court no later than **October 23, 2026**. All comments are public and shall be provided to the parties. Comments must not be sent to the Chief Judge directly, but shall be submitted (1) **by mail**; (2) **by fax**; (3) **by personal delivery**; or (4) **by email** to mbauadministrator.oah@state.mn.us.

7. **Mediation.** The parties must participate in mediation, as required by Minn. Stat. § 414.06, subd. 2. The parties may use a mediator of their choice, and the mediation may be conducted remotely. If the parties wish to use a mediator affiliated with the Court of Administrative Hearings, the parties should request that a mediation be scheduled using the Court's mediation request form: <https://mn.gov/cah/lawyers-and-litigants/administrative-law/mediation.jsp>

8. **Reasonable Accommodation or Interpreter.** Any person or party who needs a reasonable accommodation for a disability or an interpreter in order to participate in the hearing should submit a request in writing to the Court of Administrative Hearings. A person seeking an accommodation for a disability should complete the Court of Administrative Hearings' Reasonable Accommodation Request Form. A copy of the form can be found at: <https://mn.gov/oah/lawyers-and-litigants/title-ii.jsp>. Examples of reasonable accommodations include, but are not limited to, wheelchair accessibility, an American Sign Language interpreter, or Braille or large-print materials. Requests for an interpreter should be submitted to the MBAU at mbauadministrator.oah@state.mn.us. If any party requires an interpreter, the Court must be promptly notified so that appropriate arrangements can be made.

9. **Costs.** Under Minn. Stat. §§ 414.06, subd. 7, 414.12, subd. 3(e), 14.53 (2026), the costs of this proceeding shall be charged to the parties in this matter. At this time, the Petitioners, City, and Township are parties to this proceeding. If the Township timely withdraws its resolution in support of the petitions and elects to remain neutral, it will no longer be considered a party. The Court will allocate the costs between the parties on an equitable basis, except that unless the Court makes specific findings as to why a party shall be responsible for a greater share, the petitioning landowners are responsible for at least 50 percent of the total costs.

10. **Record.** Hearings are ordinarily digitally recorded. A digital recording of the hearing can be obtained by a party who makes a written request. Any party may arrange to have a court reporter at the hearing. All logistical and payment arrangements related to such are the responsibility of the requesting party, not the Court of Administrative Hearings. If a transcript is requested of a court reporter, the transcript shall become part of the hearing record and the party requesting the transcript shall provide a copy of the transcript to the Court.

11. **Continuances.** Pursuant to Minn. R. 6000.0900 (2025), requests for continuances of a hearing shall be granted only upon a showing of good cause. If a party determines it will request a continuance, that party shall notify any other party and the Court of Administrative Hearings as soon as possible.

12. **Filing at CAH.** Any document filed with the Court of Administrative Hearings, or which any person wishes to make part of the record in this matter, may be filed with the Court in any one of the following ways: (1) **by eFiling** through the Court of Administrative Hearings' eFiling system at <http://mn.gov/oah/forms-and-filing/efiling/>; (2) **by mail**; (3) **by fax**; (4) **by personal delivery**; or (5) **by email** to mbauadministrator.oah@state.mn.us. **All parties are strongly encouraged to file any submissions electronically.** Filings are effective on the date the Court of Administrative Hearings receives the filing. See Minn. R. 1400.5550, subp. 5, .5500 J, Q (2025).

Dated: September 25, 2026


JESSICA A. PALMER-DENIG
Chief Administrative Law Judge