


SUBPOENA in a Criminal Case

(COMMAND TO APPEAR)

Minn. R. Crim. P. 22

State of Minnesota		District Court
County of FREEBORN		THIRD Judicial District Case No. 24-CR-21-188
Plaintiff STATE OF MINNESOTA	VS	Defendant MELISSA LYNN HANSON
WITNESS <u>Chris Schmitter - Chief of Staff Office Gov. Tim Walz</u> <u>130 State Capitol, 75 RevDrMartinLutherKingJr Blvd.</u> <u>St. Paul, MN 55155</u> <u>T: 651-201-3400</u> <u>E: Chris.Schmitter@state.mn.us</u>		<input type="checkbox"/> DEPOSITION Testimony at Jury Trial on 12/12/2022 at 8:30 AM Courtroom with Judge Joseph A. Buetel at Freeborn Government Center 411 South Broadway Albert Lea, MN 56007 Main Phone: (507) 668-6014 Fax: (507) 377-5260
You are hereby commanded to appear as a witness to give testimony on the date, time and place indicated below, and from time to time thereafter as may be required.		<input checked="" type="checkbox"/> DUCES TECUM You are commanded to produce the following items, records, or documents: See attached EXHIBIT A.
Date:	Jury Trial 12/12/2022	
Time:	8:30 AM	
Location:	Government Center 411 South Broadway Albert Lea, MN 56007	
Witness For	<input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> <u>Defendant</u>	
Type Of Case	CRIMINAL	
Person requesting Subpoena	Name: Defendant Melissa Lynn Hanson	
Optional	Upon Receipt of this subpoena, please call: (612)220-1216	
		<input type="checkbox"/> SCHEDULE ATTACHED

WARNING: FAILURE TO OBEY A SUBPOENA WITHOUT BEING EXCUSED IS A CONTEMPT OF COURT

 Signature of Richard Dahl, MN Atty. I.D. (#0281104) Attorney for the Defendant Melissa Lynn Hanson Richard Dahl, DAHL LAW FIRM PA [# 0281104] 406 W WASHINGTON STREET, Suite 5, BRAINERD, MN 56401 Work: (612) 220-1216; Fax: (866) 497-7350; E-Mail: rdahl55@aol.com	Date: November 1, 2022
Print Name, Attorney Registration number, Office Address and Phone number (if issued by Attorney as an Officer of the Court)	
SEAL (if issued by Court Administration)	
Court Use Only	
Returned and Filed _____	By _____
Date	Court Administrator/Deputy

RETURN OF SERVICE

STATE OF MINNESOTA

County of _____

I state that on _____ I served a copy of this subpoena upon
Date

The person named thereon.

Service was made by:

- personally handing to and leaving a true and correct copy; or
- leaving a true and correct copy at their usual place of residence:

Address

with _____ a person of suitable age and discretion.
Name

I declare under penalty of perjury, that everything I have stated in this document is true and correct.

NOTE: If served by someone other than a law enforcement officer, signature must be under penalty of perjury.

Dated: _____

Signature: _____

SUBPOENA INFORMATION

PLEASE READ CAREFULLY

SERVICE of a subpoena may be made by the sheriff, by a deputy, or any other person who is not a party and who is not less than 18 years of age. Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such a person or by leaving a copy at the person's usual place of abode with some person of suitable age and discretion then residing therein. (Rule 22.03, Rules of Criminal Procedure)

FEES to be paid to witnesses shall be as follows: (M.S. 357.22 or M.S. 357.24)

- 1) For attending in any action or proceeding in any court of record or before any officer, person or board authorized to take the examination of witnesses, \$20 for each day.
- 2) For travel in going to and returning from the place of attendance, to be estimated from the witness's residence, if within the state, or from the boundary line of the state where the witness crossed the same, if from out of state, 28 cents per mile. (Additional fees may be available for out of state witnesses.)

Travel and attendance fees do not need to be tendered in advance. A witness attending on behalf of the state or a public defender may obtain payment of fees by filing a certificate (set forth below) with the court administrator. Other witnesses must obtain payment of fees from the party requesting their attendance, unless payment is approved by the court.

S T A T E	IF YOU WERE SUBPOENAED BY THE STATE, COMPLETE THIS SECTION:
	To receive payment as a witness for the state, you must complete the following certificate, have the prosecutor sign it, and then take the subpoena to the court administrator's office, after you testify. Payment will be mailed as soon as possible.
	I certify that I attended as a witness for the state on the following date(s) _____, and that I traveled _____ miles round trip.
W I T N E S S	Date _____ Address _____ City, State, Zip _____
	Signature _____ Social Security Number _____
	I certify that the attendance of this witness was necessary. _____ Prosecuting Attorney

D E F E N D E N T	IF YOU WERE SUBPOENAED BY THE DEFENDANT, COMPLETE THIS SECTION:
	To receive payment as a witness for the Defendant, you must complete the following certificate and give this subpoena to the defendant's attorney.
	I certify that I attended as a witness for the defense on the following date(s) _____, and that I traveled _____ miles round trip for attendance on the above date(s).
W I T N E S S	Date _____ Address _____ City, State, Zip _____
	Signature _____ Social Security Number _____
	I certify that the attendance of this witness was necessary. _____ Public Defender
	Court approval for defense witness: _____
	Court approval for defense witness: _____
	Court approval for parent/guardian accompanying juvenile: _____ (See NOTES below)

PLEASE NOTE: In criminal cases, a witness authorized to receive payment of attendance and travel fees through the court administrator may also obtain payment of reasonable expenses actually incurred for meals, loss of wages, and child care not to exceed \$60 per day, by filing a separate application with the court administrator. If approved, expenses will be included with the attendance and travel fees. (M.S. 357.24)

PLEASE NOTE: In any proceeding where a parent or guardian attends the proceeding with a minor witness and the parent or guardian is not a witness, one parent or guardian shall be compensated in those cases where witness compensation is mandatory under sections M.S. 357.22 or M.S. 357.24, and may be compensated when compensation is discretionary under those sections. No more than a combined total of \$60 may be awarded to the parent or guardian and the minor witness. (M.S. 357.242)

Office Use Only	Certified for payment _____	Fees _____	
	Date _____	Mileage _____	
		Expense _____	
	Court Administrator/Deputy _____	Total _____	

EXHIBIT A

Document Request to Subpoena

(1) Any and all documents (as defined below),¹ of any kind or data that form or show the factual foundation or evidence (in whole or in part), or otherwise show data, **supporting and/or providing a rational basis for Emergency Executive Order 20-96 (“EO 20- 96”)** which was signed by Governor Tim Walz on **November 10, 2020**, including and especially emails to and/or from and/or copied to any of the following persons at their official and/or a back channel email address: Chris L. Schmitter (Governor’s Office “GOV”) (Chris.Schmitter@state.mn.us), Nate Long (GOV) (Nate.Long@state.mn.us), Patrick Tanis (GOV) (Patrick.Tanis@state.mn.us), Jesse Held (GOV) (jessi.held@state.mn.us), Pete Bernardy (Minnesota Management and Budget “MMB”) (GOV) (peter.bernardy@state.mn.us), Kristen Ehresmann (Minnesota Department of Health “MDH”) (kristen.ehresmann@state.mn.us), Margaret Kelly (MDH) (Margaret.Kelly@state.mn.us), Jan Malcolm (MDH) (jan.malcolm@state.mn.us), and Richard Danila Deputy State Epidemiologist at Minnesota Department of Health, (MDH) [**See attached Emails attached discussing “small impacts that don’t justify the dial backs we propose...”;**]

¹ “Documents” refers to and includes the final form and all drafts and revisions of any type of Government Data or any written or graphic matter, original or reproduced, however produced or reproduced, of any kind and of every kind, and all copies thereof that are different in any way from the original. Without limiting the generality of the foregoing, “Documents” includes correspondence, records, tables, memoranda, notes, diaries, communications, letters, telegrams, minutes, messages, **especially email messages**, text messages, contracts, reports, studies, summaries, pamphlets, publications, inter-office and interest-office communications, notations of any sort of conversations, telephone calls, meetings or other communications, bulletins, printed matter, computerized files, computer printouts, electronic files, digital files, information stored on any type of electronic or digital media, interest-related materials, teletypes, telefax, facsimiles, invoices, work sheets, all drafts, oral records, or representations of any kind, and any electronic, mechanical, or electric records or representations of any kind (including without limitation, tapes, cassettes, discs, recordings, computer-generated documents, computer memories, and any information, posting, or message stored on or made through any form of social media or other Internet platform or service), or any other recorded information of any kind whatsoever, within the Witnesses knowledge, possession, custody, control, or subject to the Witnesses control, or accessible to the Witness.

(2) Any and all documents (as defined in footnote 1), of any kind or data that discusses the basis for using a general LOCKDOWN of Bars and/or Restaurants for Emergency Executive Order 20-96 (“EO 20- 96”), rather than using the QUARANTINE procedures set forth in the Minnesota Emergency Management Act of 1996, specifically the procedures found at **Minn. Stat. § 12.39** (and the statutes cited therein), to require that Restaurants and Bars close pursuant to EO 20-96; and

(3) Any and all documents (as defined in footnote 1), of any kind or data that the Governor and/or Governor’s Office used for the Governor Walz & Lieutenant Flanagan Media Briefing call to KARE 11 on November 17, 2021, streamed live and posted on YouTube wherein Gov. Tim Walz reacts to Minnesota's spike in COVID-19 cases, and debriefs his international trade mission to the U.K. and Finland on Nov 17, 2021, which is found at the following link: [\[https://www.youtube.com/watch?v=6NQQv4IDxe4&t=1638s\]](https://www.youtube.com/watch?v=6NQQv4IDxe4&t=1638s), wherein Governor Walz admits that his Emergency Powers did not save lives in a media call from Helsinki, Finland, stating as follows **between minute 27:4 and 27:50 on YouTube:**

"We all know... that there's no correlation between me using Emergency Powers, that actually shows that it protected people, or made a difference..."

From: Malcolm, Jan (MDH)

Sent: Thursday, October 22, 2020 10:15 AM

To: Ehresmann, Kristen (MDH) <kristen.ehresmann@state.mn.us>; Kelly, Margaret (MDH) <Margaret.Kelly@state.mn.us>

Subject: Data on what's driving the spread

Importance: High

COS has been asking for data to be given to the Governor regularly (I proposed weekly) on what is driving the case increases, building off of the chart you produce Kris. We need some way to estimate total impact from generations of transmission and not just the primary case, as people look at the primary case numbers and think those are small impacts that don't justify the dial backs we propose. See COS questions below. THX as always for creative thinking and fast turnaround.

Jan Malcolm

Commissioner

Minnesota Department of Health

Office: 651/201-5810 |

iconmdhmnemail



From: Schmitter, Chris L (GOV) <Chris.Schmitter@state.mn.us>

Sent: Thursday, October 22, 2020 6:21 AM

To: Malcolm, Jan (MDH) <jan.malcolm@state.mn.us>; Held, Jessi (GOV) <jessi.held@state.mn.us>

Cc: Bernardy, Pete (MMB) <peter.bernardy@state.mn.us>; Long, Nate (GOV) <Nate.Long@state.mn.us>;

Tanis, Patrick (GOV) <Patrick.Tanis@state.mn.us>

Subject: RE: Weekly Epi Report - 10/15/20

Thanks for this. This is helpful, though less useful than what I expected. Given these numbers are small in comparison to the overall case numbers, I assume the conclusion here is that we just don't know where most transmission is happening?

I'm thinking of something we gave Birx that allowed her to make a conclusion about the percentage of spread coming from social gatherings, weddings, funerals. Do we have something like that? Or not because we don't have enough data and there's too much community spread.

In other words, if you could say that 75% of case growth (as she did) was happening in social gatherings, weddings, funerals, you could target those areas most aggressively.

Chris Schmitter

He / him / his

Chief of Staff

Governor Tim Walz

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Jan Malcolm

Commissioner

Minnesota Department of Health

Office: 651/201-5810 |

From: Kate Brickman <katebrickman@gmail.com>

Sent: Wednesday, November 18, 2020 9:19 AM

To: Brian McClung <brian@parkstreetpublic.com>; Schommer, Michael (MDH) <michael.schommer@state.mn.us>

Cc: Campbell, Erin (ADM) <Erin.Campbell@state.mn.us>; Kimball, Nicholas (DOC) <Nicholas.Kimball@state.mn.us>

Subject: Prepping for LTC messaging

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Quick flag since I've have to drop out of these ongoing discussions, but want to make sure I'm sharing with Brian to be thinking about it:

Governor is wanting LTC to be thinking about being proactive and aggressive as LTC deaths going back up. Sounds like Commissioner and Erin are tracking some data to pull. But for some messaging notes as you think about coming days:

- How do we compare to other states with LTC deaths? Apples to apples comparison. This isn't a MN issue, it's happening everywhere. (Get CMS data) Gov wants to say "We're not satisfied with our numbers. There's no "acceptable number" of deaths in LTC. But we're doing better than any other state."

- As ppl push back on youth sports adn whether they really need to be ended --> we need to more explicitly tie youth sports to LTC. People are going to youth sports, sitting in bleachers, eating popcorn and talking with people around then, cheering, then maybe stopping at a restaurant or bar on way home, then going to jobs in LTC the following day. The spread and deaths in LTC can be traced back to youth sports and some of these social settings.



Live chat replay was turned off for this video.

COVID-19

Get the latest information from the CDC about COVID-19.

[LEARN MORE](#)



 See more resources on Google [↗](#)

LISTEN: Walz updates COVID situation, international trade trip

1,807 views Streamed live on Nov 17, 2021 Gov. Tim Walz reacts to Minnesota's spike in COVID-19 cases, and debriefs his international trade mission to the U.K. and Finland.

<https://www.kare11.com/coronavirus>

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