

**Clint Pharmaceuticals, Respondent**  
**v.**  
**Northfield Urgent Care, LLC, Appellant**

Presented by : Oksana A. & Ana L.

1. explain - " respondent filed an action in Rice County District Court under the Uniform Enforcement of Foreign Judgments Act, Minn. Stat. §§ 548.26-.33 (2010), to enforce this judgment in Minnesota. Respondent served a garnishment summons and had approximately \$13,000 frozen in appellant's bank account."

2. explain - "The letter further declared that appellant would not appear at the December 6, 2010 hearing because Tennessee did not have personal jurisdiction over appellant and because service of process had been ineffective."

3. explain - "Minnesota courts will uphold a foreign court's exercise of personal jurisdiction over a nonresident defendant when two requirements are met: (1) compliance with the foreign state's law providing jurisdiction, and (2) the exercise of jurisdiction under circumstances that do not offend the Due Process Clause of the federal constitution."

- ▶ 4. explain - "The existence of personal jurisdiction and the effectiveness of service of process are both questions of law, which this court reviews de novo"

- ▶ 5. explain - "When a defendant challenges personal jurisdiction, the plaintiff has the burden to establish a factual basis for that jurisdiction. *Dent-Air, Inc. v. Beech Mountain Air Serv., Inc.*, 332 N.W.2d 904, 907 n.1 (Minn. 1983) (citing *Hardrives, Inc. v. City of LaCrosse, Wis.*, 307 Minn. 290, 293, 240 N.W.2d 814, 816 (1976)). "At the pretrial stage, however, the plaintiff's allegations and supporting evidence [regarding personal jurisdiction] are to be taken as true." *Id.* The burdens are different for service of process, however, "[o]nce the plaintiff submits evidence of service, a defendant who challenges the sufficiency of service of process has the burden of showing that the service was improper." *Shamrock Dev., Inc.*, 754 N.W.2d at 384"

- ▶ 6. explain - Tennessee courts have declared that service upon an organizational defendant may be made upon an individual if that person is so integrated with the organization that he or she will know what to do with the papers that are served. *Hall v. Haynes*, 319 S.W.3d 564, 575 (Tenn. 2010). "Generally, service is sufficient when made upon an individual who stands in such a position as to render it fair, reasonable and just to imply the authority on [her] part to receive service."

- ▶ 7. explain - "Dr. Bardwell's wife was intertwined with the operation of the clinic,"

- ▶ 8. explain "Because the district court correctly decided that appellant failed to meet its evidentiary burden in challenging service of process, and because appellant agreed to the forum-selection clause in the credit agreement with respondent, we conclude that the district court did not err in denying appellant's motion to vacate the foreign judgment"

- ▶ 9. explain who won the case (actual name of the party who won)