



For Immediate Release:
May 6, 2020

Media Contact:
Doug Seaton, Esq.
Doug.Seaton@umwlc.org
612.750.8368

MINNESOTA SMALL BUSINESSES AND CHURCHES SUE GOVERNOR WALZ IN FEDERAL COURT TO END UNCONSTITUTIONAL SHUTDOWN ORDERS

Executive shutdown orders interfere with constitutionally protected religious and business activities that are able to comply with CDC guidelines

Minneapolis, MN – Upper Midwest Law Center, a Minnesota-based public interest law firm, filed suit on behalf of multiple Minnesota churches and small business owners to strike down Governor Tim Walz' unilateral shutdown emergency executive orders as unconstitutional under the First, Fifth and 14th Amendments to the U.S. Constitution. The lawsuit was filed today in the U.S. District Court for the District of Minnesota, and a copy of the complaint is available at www.umwlc.org.

The plaintiffs are:

- Northland Baptist Church of St. Paul, Minnesota and Pastor John Bruski, who have been prohibited from holding in-person religious services and indoor or outdoor religious gatherings while at the same time similar types of secular gatherings have been allowed under the executive orders.
- Living Word Christian Center, which has been prohibited from holding in-person religious services and indoor or outdoor religious gatherings, while at the same time similar types of secular gatherings have been allowed under the executive orders.
- Dr. Marie Joycelyn Lua, a dentist and business owner in Edina, Minnesota, who has been prohibited from seeing patients to perform major dental work and reconstruction procedures while at the same time reproductive health care workers have been allowed to perform abortions under the executive orders.
- Glow In One Mini Golf L.L.C. in Blaine, Minnesota, and its owner and operator, Aaron Kessler, who have been prohibited from operating a mini-golf business while at the same time golf courses have been allowed to operate under the executive orders.
- Myron's Cards and Gifts, Inc. and its owner and operator Larry Evenson, which has locations in Bloomington, Coon Rapids, Roseville, Blaine and Mankato, Minnesota, who have been required to shut down five gift card stores while at the same time big box stores such as Target, Walgreens and CVS have been allowed to stay open and sell gift cards under the executive orders.
- Andrew Hulse and Gay Bunch-Hulse, owners and operators of 18 | 8 Fine Men's Salons in Maple Grove and Wayzata, Minnesota, who have been prohibited from operating their state-licensed and infection control trained hair salons while at the same time liquor stores and pet groomers have been allowed to operate under the executive orders.

“Governor Walz’ scheme of selecting economic winners and losers by wholly shutting down some businesses while allowing others to remain open violates the Plaintiff businesses’ 14th Amendment due process and equal protection rights,” stated Doug Seaton, Esq., President of the Upper Midwest Law Center. “Governor Walz’ actions also constitute a taking under the Fifth Amendment, and his prohibition on worshippers gathering violates churches’ and individuals’ First Amendment rights. The Constitution requires that the Governor respect the individual rights of all citizens at all times, narrowly tailor any restrictions, and apply the same rules to all. It is clear that his continuing lockdown executive orders fail these constitutional requirements.”

James Dickey, Esq., lead trial counsel to the Upper Midwest Law Center, added the following: “In this litigation we ask the Court to declare Governor Walz’ executive orders unconstitutional and enjoin him, Attorney General Keith Ellison, and the county attorneys charged with enforcement of the executive orders from enforcing them. The Plaintiff businesses also seek money damages from Governor Walz for the tremendous losses they have faced due to the executive orders. Governor Walz’ orders exceed his statutory authority and violate fundamental rights, so we will be seeking a temporary restraining order from the U.S. District Court and are prepared to take this matter to the Eighth Circuit and Supreme Court if needed.”

Howard Root, Chair of the Upper Midwest Law Center, concluded: “The Upper Midwest Law Center was founded in 2019 to protect the individual rights of citizens against the overreach of government. We cannot sit idly by while the governor uses this pandemic to shred the Constitution – especially when Gov. Walz has so many alternatives to fight the spread of COVID-19 that can be fairly applied in a constitutional manner.”

About the Upper Midwest Law Center

The Upper Midwest Law Center is a non-profit, public interest law firm with the mission to initiate pro-freedom litigation to protect against government overreach, special interest agendas and public union corruption and abuses. UMLC is a 501(c)(3) organization.

To learn more about the Upper Midwest Law Center, visit www.umlc.org.

###