

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A24-1798**

ERoof LLC,
Respondent,

vs.

Jerodine Nall,
Appellant.

**Filed May 19, 2025
Affirmed; motion denied
Schmidt, Judge**

Ramsey County District Court
File No. 62-CV-23-5421

Aaron R. Thom, Samantha J. Ellingson, Thom Ellingson, PLLP, Minneapolis, Minnesota
(for respondent)

Jerodine Nall, St. Paul, Minnesota (pro se appellant)

Considered and decided by Reyes, Presiding Judge; Cochran, Judge; and Schmidt,
Judge.

NONPRECEDENTIAL OPINION

SCHMIDT, Judge

In this appeal from final judgment, appellant Jerodine Nall argues the district court abused its discretion when it granted respondent ERoof LLC's motion for default judgment. Because we conclude that the district court did not abuse its discretion by granting ERoof's motion for default judgment, we affirm.

FACTS

ERoof is a Minnesota company that provides roof replacement and repair services. Nall met with ERoof employee Tyler Handeland to discuss roof repairs Nall wanted performed on her house. Handeland sent Nall a proposal that identified the scope of the work to be performed and quoted a price, and in which Nall agreed to reimburse ERoof for all costs of collecting outstanding invoices, including reasonable attorney fees. Nall signed the proposal and paid a down payment.

ERoof performed the roof repairs. Afterward, Nall made multiple complaints about the work. Handeland offered to waive the remaining balance owed on behalf of ERoof, but Nall declined, stating that she would like to pay. Nall never paid the remaining balance.

On September 27, 2023, ERoof sued Nall. Nall did not file or serve a timely answer. On May 22, 2024, the parties attended a status conference at which the district court ordered Nall to file an answer. Nall did not file an answer.

On July 23, 2024, ERoof moved for default judgment. At the motion hearing, Nall stated she had mailed documents to ERoof's attorney proving she did not owe an outstanding balance. The district court denied ERoof's motion for default judgment, finding that Nall's letter constituted an informal response to ERoof's complaint, even though Nall had not filed an answer.

On September 9, 2024, ERoof moved for default judgment a second time because Nall still had not formally answered the complaint. The district court granted ERoof's second motion for default judgment.

Nall appeals.

DECISION

Nall argues that the district court abused its discretion by granting ERoof's motion for default judgment because Nall informally responded to ERoof's lawsuit. "When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend within the time allowed . . . and that fact is made to appear by affidavit, judgment by default shall be entered against that party[.]" Minn. R. Civ. P. 55.01. "We review an entry of default judgment for [an] abuse of discretion." *Laymon v. Minn. Premier Props., LLC*, 903 N.W.2d 6, 17 (Minn. App. 2017), *aff'd*, 913 N.W.2d 449 (Minn. 2018).

On ERoof's second motion for default judgment, the district court found that Nall had not filed a formal answer to ERoof's complaint. The court also deemed ERoof's default-judgment motion uncontested due to Nall's failure to respond. The district court granted ERoof's second motion for default judgment.

The record supports that the district court fully considered the fact that Nall is a self-represented litigant and gave Nall numerous opportunities to answer the complaint. The district court also granted Nall a fee waiver to negate the cost of filing fees in order to enable her to answer the complaint and participate in the litigation. The record also shows that ERoof properly served Nall with the summons and complaint and properly filed and served the required documents for each of the motions for default judgment. Although Nall attended every hearing, she did not answer the complaint.

The district court acted well within its discretion when it granted ERoof's second motion for default judgment and, therefore, we affirm.¹ Our decision, however, is without prejudice to Nall's right to file a timely motion in the district court to vacate the default judgment. Minn. R. Civ. P. 60.02. That issue is not before us, and we express no opinion on the merits of such a motion if one is filed.

Affirmed; motion denied.

¹ ERoof also filed a motion to strike certain documents in Nall's addendum. We deny the motion to strike as moot because we did not consider the documents in our analysis.