

**State of Minnesota**

**District Court**

County of:	Judicial District: _____
	Court File Number: _____
	Case Type: _____

In Re the Marriage of:

\_\_\_\_\_

\_\_\_\_\_  
Petitioner (first, middle, last)

and

\_\_\_\_\_  
Respondent (first, middle, last)

\_\_\_\_\_  
Intervenor

**Notice of Motion and Motion  
To Stop Cost of Living  
Adjustment**

**NOTICE**

**TO: Other Party:**

\_\_\_\_\_  
First Middle Last

\_\_\_\_\_  
Street Address Apt. No.

\_\_\_\_\_  
City State Zip Code

**PLEASE TAKE NOTICE** that pursuant to Minn. Stat. § 518A.75, the undersigned will bring a motion before the Honorable \_\_\_\_\_, on \_\_\_\_\_

(Name of Judge, or Referee) (Date of hearing)

at \_\_\_\_\_ at the \_\_\_\_\_ County Courthouse

(Time) (a.m./p.m.) (Name of building where hearing to be held)

or Government Center located at \_\_\_\_\_

(Street address where hearing to be held)

in the city of \_\_\_\_\_ Minnesota, (check with court administration

(City where hearing to be held)

clerk for hearing room number), and will ask the court to stop the cost of living adjustment on the child support and/or spousal maintenance.

**MOTION**

1. I request that the court issue an order to stop the cost of living adjustment from taking place.
2. The facts upon which I base my request are set forth in the attached *Affidavit in Support of Motion to Stop Cost of Living Adjustment*.

### **Notice of Rights to Other Party**

- **You must appear at the hearing.** If you fail to appear at the hearing, the child support magistrate may issue an order granting the relief requested without further notice or hearing.
- You have the right to object or respond to the changes I am requesting.
- If you choose to respond, a written response must be served upon all parties and filed with the court **at least 7 days** before the hearing.
- If you choose to respond and raise new issues other than the issues in this motion, a counter motion must be served upon all parties and filed with the court **at least 14 days** before the hearing.
- The court may, in its discretion, choose not to consider any documents you file with the court if they are not filed on time.
- You have a right to legal representation.

### **Settlement**

This matter may be settled without a court hearing if all parties reach an agreement. To discuss a possible settlement, contact:

\_\_\_\_\_ at \_\_\_\_\_ .  
(Name of person to contact to discuss settlement) (Phone number of person to contact)

Note: Person to contact for settlement should be the party bringing the action or the attorney, if an attorney is representing the party in this matter.

### **Acknowledgments by Party Making Motion**

- a. I am not serving or filing this document for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
- b. The claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.
- c. The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

- d. The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.
- e. The court may impose an appropriate sanction upon the attorneys, law firms, or parties that violate the above stated representations to the court, or are responsible for the violation.
- f. I understand that the existing order remains in full force and effect and I must continue to comply with that order until a new order is issued.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Attorney for: \_\_\_\_\_