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May 10, 2011

David Brian Triemert
2965 Lake Elmo Avenue N.
Lake Elmo, MN 55042

Re: Notice of Tort Claim

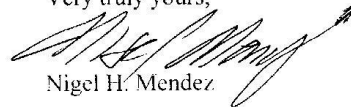
Dear Mr. Triemert:

This firm has been retained to respond to your Notice of Tort Claim dated April 14, 2011 that you sent to Washington County. I have reviewed the claim along with the documents you attached. I have also read the relevant Minnesota Statutes.

Washington County, and Sheriff Hutton, have complied with all relevant statutes. Prior to taking office, Sheriff Hutton recorded his Oath of Office and was covered by the necessary bond. Minn. Stat. §387.02 states that should a person elected to the office of sheriff not have a bond and take the oath, it shall be deemed a refusal to serve. This Statute *does not* state that it is a refusal to serve if the bond and oath are not recorded. The recording of the documents is a ministerial act. Sheriff Hutton has complied with all statutory requirements of his position, and as such, the office of Sheriff is not now, nor has it been, vacant. It is my understanding that you were previously provided copies of the bond and the Oath by the County directly.

Based on the above, the County will not be making any voluntary payment in regard to your Demand for Claim or Other Remedy.

Very truly yours,



Nigel H. Mendez

cc: John Nichols, MCIT
Julie Sorrem, Washington County