

July 27, 2026

VIA EMAIL & US MAIL

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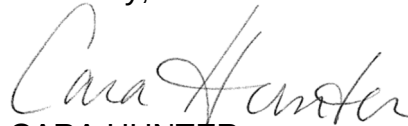
Re: *In the Matter of Dan Fiskum (Mike Lindell)*
CAH 50-0320-41898

Dear Parties:

Enclosed and served upon you please find the **NOTICE OF DETERMINATION OF PRIMA FACIE VIOLATION AND ORDER FOR PROBABLE CAUSE HEARING** in the above-entitled matter.

If you have any questions, please contact me at (651) 361-7970, cara.hunter@state.mn.us, or via facsimile at (651) 539-0310.

Sincerely,



CARA HUNTER
Legal Assistant

Enclosure

cc: Docket Coordinator

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS

Dan Fiskum,

Complainant,

v.

Mike Lindell,

Respondent.

**NOTICE OF DETERMINATION OF
PRIMA FACIE VIOLATION AND ORDER
FOR PROBABLE CAUSE HEARING**

On July 22, 2026, Dan Fiskum (Complainant) filed a Fair Campaign Practices Complaint (Complaint) with the Court of Administrative Hearings. The Complaint alleges that Mike Lindell (Respondent) distributed pillows with the words “Mike Lindell for Governor” on the packaging to spectators at the Delano Fourth of July Parade, in violation of Minn. Stat. § 211B.13 (2024) of the Fair Campaign Practices Act.¹ The Chief Administrative Law Judge assigned the matter to Administrative Law Judge Nicholas Lienesch on July 22, 2026.

After reviewing the Complaint, the undersigned has determined that the Complaint sets forth a prima facie violation of Minn. Stat. § 211B.13. Based upon the Complaint and the supporting filings, and for the reasons set out in the accompanying Memorandum, the Court hereby issues the following:

ORDER

1. This matter is scheduled for a telephone probable cause hearing before Judge Lienesch at **10:00 a.m. on August 3, 2026**. At the appointed time, the parties are directed to do the following:

- (a) Dial telephone number **651-395-7448**, and, when prompted,
- (b) Enter the Conference Code **554 613 126#**.

The parties are responsible for calling into the hearing.

2. By **4:30 p.m. on July 30, 2026**, the parties must file with the Court of Administrative Hearings all evidence the parties intend to rely on at the probable cause

¹ Minn. Stat. §§ 211A.01-.14, 211B.01-.37 (2024).

hearing,² with copies of the same items sent to the opposing party. The parties **must** provide copies of any filings to the opposing party via **email** and be prepared to show proof of service.

3. The probable cause hearing will be conducted pursuant to Minn. Stat. § 211B.34. At the probable cause hearing, all parties have the right to be represented by legal counsel or appear on their own behalf. In addition, the parties have the right to submit evidence, affidavits, and argument for consideration by the Judge.

4. **Accommodations Under the Americans with Disabilities Act.** The parties shall notify the Court of Administrative Hearings in writing as soon as possible if any additional accommodation is needed. To request an accommodation, the requesting party shall complete and submit this form: <https://mn.gov/oah/lawyers-and-litigants/title-ii.jsp>. To request the form in paper format, please call 651-361-7900.

5. **Interpreters.** The parties have not requested the appointment of an interpreter. To request an interpreter, please email oah.courtpersonnel@state.mn.us or call 651-361-7900.

6. **Filing.** Any document filed with the Court of Administrative Hearings, or which a party wishes to make part of the record in this matter, may be filed with the Court of Administrative Hearings in any one of the following ways: (1) **by eFiling** through the Court of Administrative Hearings' eFiling system at <http://mn.gov/cah/forms-and-filing/efiling/>; (2) **by mail**; (3) **by fax**; or (4) **by personal delivery**. Filings are effective on the date the Court of Administrative Hearings receives the filing. The parties are responsible for ensuring their filings are timely. Although all four filing methods are accepted, the parties are encouraged to utilize eFiling when possible.

Dated: July 27, 2026

A handwritten signature in black ink, appearing to read 'Nicholas B. Lienesch', written over a horizontal line.

NICHOLAS B. LIENESCH
Administrative Law Judge

MEMORANDUM

Respondent in this matter is a candidate for the position of Governor of Minnesota, which has a primary election scheduled for August 11, 2026, and a general election scheduled for November 3, 2026.³ The Complaint alleges that on July 4, 2026, Respondent rode on a trailer featuring signs supporting Respondent's campaign in the

² For information on how to file materials with the Court of Administrative Hearings, please see: <https://mn.gov/cah/self-help/how-to-file/>.

³ Campaign Complaint (Complaint) at 2 (Jul. 22, 2006).

Delano Fourth of July Parade in Delano, Minnesota.⁴ The Complaint alleges that Respondent and one other unidentified individual threw pillows to spectators along the parade route.⁵ The packaging of the pillows had “Mike Lindell for Governor” printed on them.⁶ The Complaint alleges that the pillows distributed by Respondent were MyPillow products with an approximate retail value of \$34.95.⁷ The Complaint asserts the pillows distributed at the parade constitute a violation of Minn. Stat. § 211B.13, subd. 1.

I. Standard for Prima Facie Determinations

To establish a prima facie violation of the Fair Campaign Practices Act, a complainant must allege sufficient facts to show that a violation of law has occurred.⁸ The complaining party must submit evidence or allege facts that, if accepted as true, would be sufficient to prove a violation of Minn. Stat. §§ 211A.01-.14, 211B.01-.37 (2024).⁹

For purposes of a prima facie determination, the Court must accept the facts that are alleged in the Complaint as true, without independent substantiation, provided that those facts are not patently false or inherently incredible.¹⁰ In determining whether a complaint alleges sufficient facts to state a prima facie case, reasonable inferences must be drawn in the light most favorable to the Complainant.¹¹

A complaint must be dismissed if it does not include evidence or allege facts that, if accepted as true, would be sufficient to prove a violation of Minn. Stat. §§ 211A.01-.14, 211B.01-.37.¹²

II. Analysis

Minn. Stat. § 211B.13, subd. 1 provides as follows:

A person who willfully, directly or indirectly, advances, pays, gives, promises, or lends any money, food, liquor, clothing, entertainment, or other thing of monetary value, or who offers, promises, or endeavors to obtain any money, position, appointment, employment, or other valuable consideration, to or for a person, in order to induce a voter to refrain from voting, or to vote in a particular way, at an election, is guilty of a felony. This section does not prevent a candidate from stating publicly preference for or support of another candidate to be voted for at the same primary or election. Refreshments of food or nonalcoholic beverages having a value up to \$5 consumed on the premises at a private gathering or public meeting are not prohibited under this section.

⁴ Complaint at 5.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ Minn. Stat. § 211B.32, subd. 3 (2024).

⁹ *Barry v. St. Anthony-New Brighton Indep. Sch. Dist.* 282, 781 N.W.2d 898, 902 (Minn. Ct. App. 2010).

¹⁰ *Id.*

¹¹ *Abrahamson v. St. Louis Cty. Sch. Dist.*, 819 N.W.2d 129, 136 (Minn. 2012).

¹² *Barry*, 781 N.W.2d at 902.

This provision prohibits giving something of monetary value, or promising something of value, to a person in order to induce or deter voting in a particular way in an election.

The Complaint alleges that Respondent directly distributed pillows marked “Mike Lindell for Governor” from a parade float decorated with signs that said the same, in order to induce voters to vote for Respondent.¹³ The Complaint further alleges the pillows have a monetary value of \$34.95.¹⁴ Taking the allegations in the Complaint as true, as required at this stage, the Complaint sets forth a prima facie violation of Minn. Stat. § 211B.13, subd. 1.

III. Conclusion

The allegations in the Complaint, taken as true, establish a prima facie violation of Minn. Stat. § 211B.13. Accordingly, Complainant’s claim will proceed to a probable cause hearing.

N. B. L.

¹³ Complaint at 5.

¹⁴ *Id.*