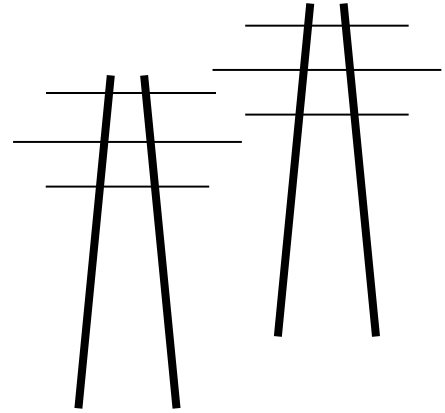


# Legalelectric, Inc.

**Carol Overland** Attorney at Law, MN #254617  
Energy Consultant—Transmission, Power Plants, Nuclear Waste  
overland@legalelectric.org

1110 West Avenue  
Red Wing, Minnesota 55066  
612.227.8638



October 1, 2024

Judge Kimberly L. Mittendorf  
Office of Administrative Hearings  
P.O. Box 64620  
St. Paul, MN 55164-0620

via OAH eFiling & U.S. Mail

RE: Request to Deny Motion for Default Dismissal  
Carol A. Overland, Complainant, v. Gary Iocco, Iocco for Red Wing Mayor,  
RRJ Redwing LLC, and Wilson Oil Co, Respondents  
OAH File 21-0325-40299

Dear Judge Mittendorf:

Attached please find Request to Deny Motion for Default Dismissal, Affidavit of Carol A. Overland and Exhibits in response to oral Motion entered at today's Probable Cause Hearing. I was notified by staff of this Motion, that it was taken under advisement, and that a response must be filed no later than 4:30 p.m. Friday.

In error, **MY error**, I called in to the Probable Cause hearing using the wrong conference code, and waited patiently, then not so patently, and then attempted to contact staff to determine if there was another number I should be using, and too late, I learned there was a different conference code to use. By that time, the Probable Cause hearing was over.

I ask that this matter not be dismissed as a default as I had every intent to attend, and yesterday evening, I filed a material exhibit to be addressed today. I tried to attend, but as my saxophone teacher Ed Berger often said, "Tryin' is lyin,' 'cause if you were tryin,' you'd be doin' it. Admittedly, through my own negligence, I was not present for the hearing.

I ask that you deny the Motion to Dismiss and allow this matter to move forward..

Thank you for your consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Carol A. Overland". The signature is written in a dark ink and is positioned below the closing "Very truly yours,".

Carol A. Overland  
Attorney at Law/Complainant

cc: Gary Iocco [ioccogary@gmail.com](mailto:ioccogary@gmail.com)  
RRJ Redwing, LLC/Dehn Oil [john@dehnoil.com](mailto:john@dehnoil.com) & [rick@dehnoil.com](mailto:rick@dehnoil.com)  
Wilson Oil c/o Mike Wilson P.O. Box 162, Red Wing, MN 55066

**STATE OF MINNESOTA**  
**before the**  
**OFFICE OF ADMINISTRATIVE HEARINGS**  
**PO Box 64620**  
**St. Paul, MN 55164-0620**

Carol A. Overland, Complainant, v.  
Gary Iocco, Iocco for Red Wing Mayor,  
RJJ Redwing LLC, and  
Wilson Oil Co, Respondents

---

**CERTIFICATE OF SERVICE**

I, Carol A. Overland, hereby certify that I have this day served a true and correct copy of the attached Request to Deny Motion to Dismiss, Affidavit, and Exhibits, to all persons individually at their addresses listed below by email and U.S. Mail, and have filed on the OAH eFiling.

Gary Iocco – Gary Iocco for Mayor  
1837 Woodland Dr.  
Red Wing, MN 55066  
[ioccogary@gmail.com](mailto:ioccogary@gmail.com)

Wilson Oil Co., c/o Mike Wilson  
P.O. Box 162  
Red Wing, MN 55066

RRJ Redwing, LLC  
John Dehn  
Dehn Oil Company  
6735 – 141<sup>st</sup> Ave NW  
Ramsey, MN 55303  
[john@dehnoil.com](mailto:john@dehnoil.com)  
[rick@dehnoil.com](mailto:rick@dehnoil.com)



October 1, 2024

---

Carol A. Overland      MN #254617  
Attorney at Law and Complainant  
Legalelectric – Overland Law Office  
1110 West Avenue  
Red Wing, MN 55066  
(612) 227-8638  
[overland@legalelectric.org](mailto:overland@legalelectric.org)

**STATE OF MINNESOTA  
before the  
OFFICE OF ADMINISTRATIVE HEARINGS  
PO Box 64620  
St. Paul, MN 55164-0620**

Carol A. Overland, Complainant, v.  
Gary Iocco, Iocco for Red Wing Mayor,  
RJJ Redwing LLC, and  
Wilson Oil Co, Respondents

---

**COMPLAINANT'S RESPONSE TO MOTION TO DISMISS  
REQUEST TO DENY MOTION FOR DEFAULT DISMISSAL**

---

Today, October 1, 2024, at 10:00 a.m. was the noticed date and time for the continued Probable Cause hearing in the above-entitled matter.

At 9:59 a.m., I called (651) 395-7448, and used conference code 255 167 715# taken from the first page of the Amended Notice of Determination of Prima Facie Violation and Order for Probable Cause Hearing. Ex. A, screenshot of phone calls to that number. After approximately 15 minutes of waiting on hold, having called in twice, while on hold, I sent an email to Nicole Sletten at 10:15 a.m., as the one who had sent the Amended Notice on September 20, 2024, thinking I had the wrong conference code number. Ex. B, email to Nicole Sletten. At 10:25 a.m., I called the general OAH number, (651) 361-7900, Ex. C, calls to OAH. After leaving voicemails, I did reach a staff person who informed me that the hearing was over and that the matter was dismissed as default. **USING THE WRONG CONFERENCE CODE IS UNQUESTIONABLY MY ERROR.**

Later, I reached Nicole Sletten on the phone, and I learned that I had indeed used the

wrong conference code, the one on the first page of the Amended Notice, instead of the one on the Order Continuing Probable Cause Hearing, page 8 of the pdf, Shortly thereafter, I received a call from a staff attorney who notified me that the Motion had been taken under advisement, and that a response was due by Friday at 4:30 p.m..

With this Response, I include Exhibits A, B, and C, and also ask that you consider the filing made last night after receiving a copy of the Lease from Gary Iocco. Last night's filing includes the lease and my statement in writing of willingness to withdraw the Complaint as pertaining to Wilson Oil, as the lease was executed by a representative of Dehn Oil, a Minnesota corporation. I offer these documents as demonstration of my intent, and (failed) attempts, to participate in the Probable Cause Hearing. I recognize that while these efforts to call in were made, they were not sufficient.

I ask that you grant a measure of leniency, deny the Motion to Dismiss as Default, and allow this matter to proceed.

October 1, 2024



---

Carol A. Overland      MN #254617  
Attorney at Law and Complainant  
Legalelectric – Overland Law Office  
1110 West Avenue  
Red Wing, MN 55066  
(612) 227-8638  
[overland@legalelectric.org](mailto:overland@legalelectric.org)

**STATE OF MINNESOTA**  
**before the**  
**OFFICE OF ADMINISTRATIVE HEARINGS**  
**PO Box 64620**  
**St. Paul, MN 55164-0620**

Carol A. Overland, Complainant, v.  
Gary Iocco, Iocco for Red Wing Mayor,  
RJJ Redwing LLC, and  
Wilson Oil Co, Respondents

---

**AFFIDAVIT OF CAROL A. OVERLAND**  
**REQUEST TO DENY MOTION FOR DEFAULT DISMISSAL**

---

**COUNTY OF GOODHUE**            )  
                                                          ) **ss.**  
**STATE OF MINNESOTA**        )

Carol A. Overland, after being duly sworn on oath, states and deposes as follows:

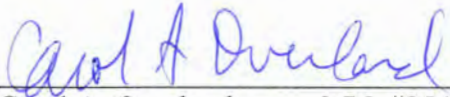
1. I am an attorney in good standing in the State of Minnesota, License No. 254617.
2. I am the Complaint in the above-entitled matter.
3. Late yesterday evening, I received a copy of the sign lease from Gary Iocco via email. I had asked him, via email, if he had access or if he'd like me to file it, and while awaiting a response, I decided to file a letter, with the copy of the Lease attached, stating my willingness to withdraw the Complaint as it pertains to Wilson Oil, as the lease had been executed by a Dehn Oil representative. Lease of the building to Dehn Oil eliminate Wilson Oil from responsibility for a prohibited corporate campaign contribution.
4. Dehn Oil is a Minnesota Corporation and the Registered Agent for RRJ Redwing, LLC. See Complaint, Attachment 3. RRJ Redwing, LLC is the owner of the parcels at 2355 Old West Main, Red Wing, where the building is located. Id. This entire building was leased to Dehn Oil on July 19, 2024, not just the roof space where the Gary Iocco for Mayor sign is posted. See "Building Lease," attached to September 30, 2024 Overland Filing.

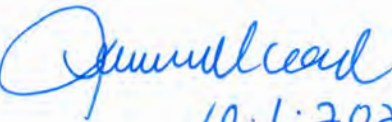
5. The lease, headed "Wilson Oil Company," and dated July 19, 2024, roughly seven years after it was sold by Wilson to Dehn Oil Company, or RRJ Redwing, LLC, currently has its mailing address as "P.O. Box 162," which is the P.O. Box that Mike Wilson provided on September 19, 2024 as his personal P.O. Box. The P.O. Box number, and the Secretary of State registration, which has been renewed annually each of the seven years since 2017, have yet to be changed. See Lease, and Overland Ex. 2, Wilson SOS screenshots.
6. While both Dehn Oil Company and RRJ Redwing, LLC are corporations as defined for the purposes of prohibited corporate contributions under Minn. Stat. §211B.15, because RRJ Redwing, LLC owns the property, not Dehn Oil, it remains to be determined which, or both, entities made the prohibited contribution.
7. Attached as Exhibit A is a true and correct copy of my phone log showing phone calls to the call in number of (651) 395-7448. For these calls, I used the conference code of 255 167 715# as directed on the first page of the Amended Notice of Determination of Prima Facie Violation and Order for Probable Cause Hearing.
8. Attached as Exhibit B is a true and correct copy of my phone log showing phone calls to (651) 361-7900 in an attempt to find out if there was another conference code I should be using.
9. Attached as Exhibit C is a true and correct copy of an email sent to Nicole Sletten at 10:25 also trying to determine if I had the wrong conference code. When I reached her by phone, I learned that I had used the wrong conference code, instead of the one on page 8 of the pdf she had sent on September 20, the first page of the Order Continuing Probable Cause Hearing.
10. By the time I learned I had used the incorrect conference code number, it was too late, the hearing had ended, and a Motion to Dismiss as a Default had been made.
11. While I made multiple attempts to join the hearing, and attempted to determine whether I had the wrong conference code, my efforts were neither successful nor sufficient. This was my negligence, my error.

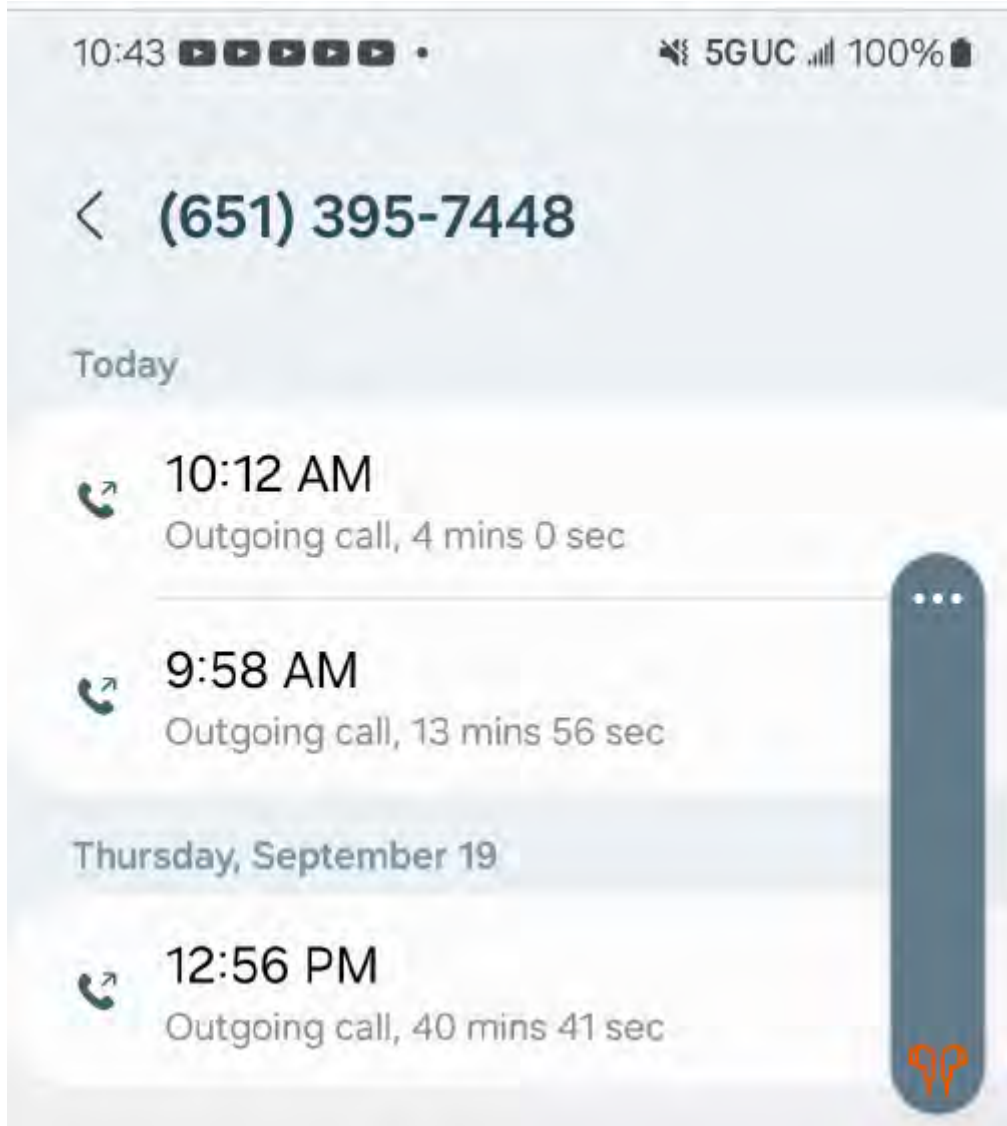
Further your affiant sayeth naught.

October 1, 2024

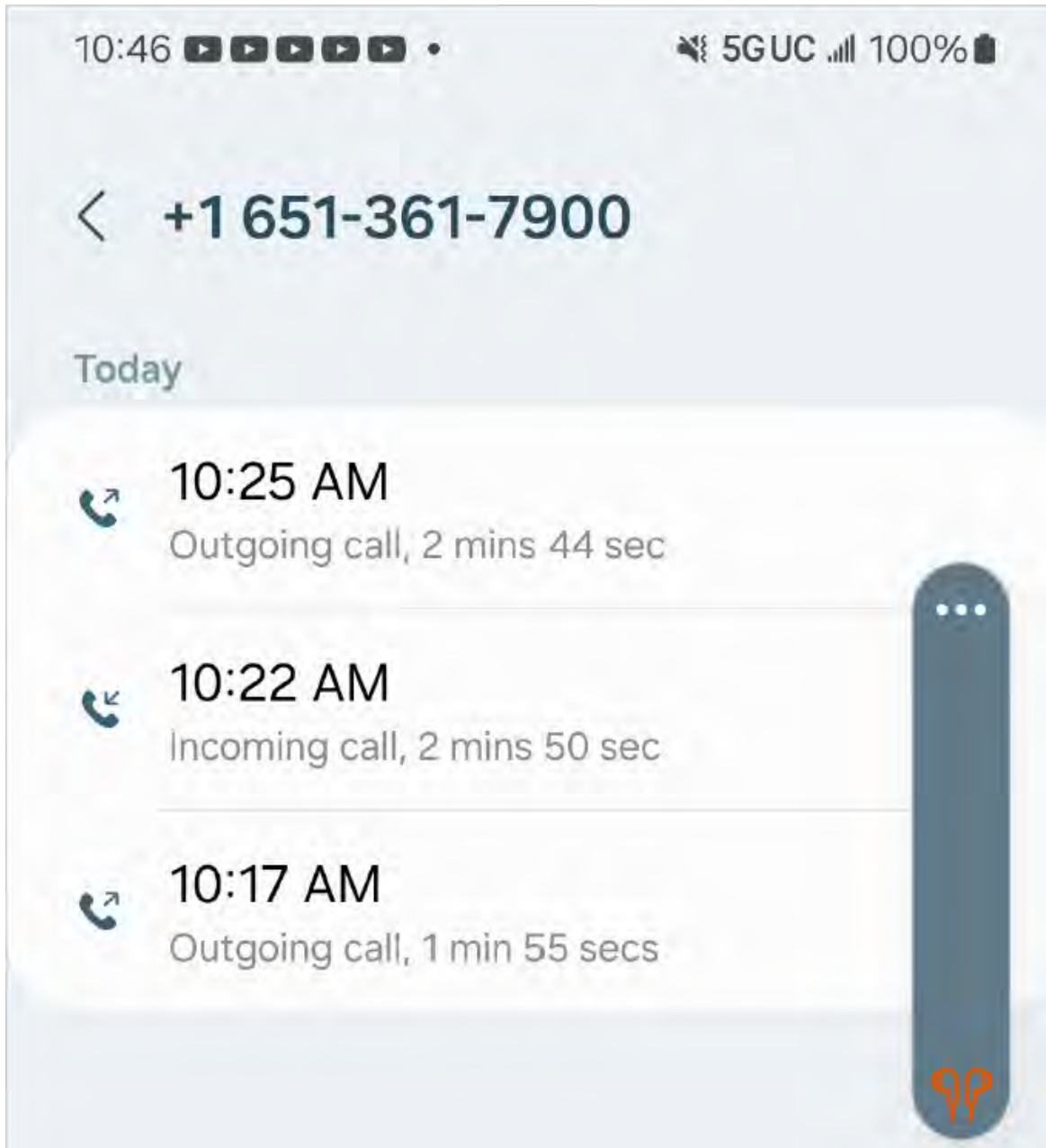


  
Carol A. Overland — MN #254617  
Attorney at Law and Complainant  
Legalelectric – Overland Law Office  
1110 West Avenue  
Red Wing, MN 55066  
(612) 227-8638  
[overland@legalelectric.org](mailto:overland@legalelectric.org)

  
10.1.2024







**Subject:** Today's hearing 21-0325040299

**From:** "Carol A. Overland" <overland@legalectric.org>

**Date:** 10/1/2024, 10:15 AM

**To:** nichole.sletten@state.mn.us, michelle.gedicke@state.mn.us, majeste.phillip@state.mn.us.

Is there a different meeting code than what is on the Amended Notice?

I'm on hold, have been since 9:59

On 9/19/2024 4:22 PM, Carol A. Overland wrote:

All -

I'd like a copy of the recording for today's hearing, Overland v. Iocco, et al. OAH file 21-0325040299.

If it's a file that can be sent via email, that'd be preferable, and of course, let me know the cost.

Thanks,

Carol A. Overland

--

"Our lives begin to end the day we become silent about the things that matter." Dr. Martin Luther King, Jr.

Carol A. Overland  
Attorney at Law  
Legalelectric - Overland Law Office  
1110 West Avenue  
Red Wing, MN 55066

612-227-8638

[overland@legalectric.org](mailto:overland@legalectric.org)

[www.legalectric.org](http://www.legalectric.org)

[www.nocapx2020.info](http://www.nocapx2020.info)

[www.not-so-great-northern-transmission-line.org](http://www.not-so-great-northern-transmission-line.org)