

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

Case Type: Other Civil
(Consumer Protection)

State of Minnesota, by its Attorney General,
Keith Ellison,

Court File No. 27-CV-25-18755

Plaintiff,

**[PROPOSED]
ORDER FOR DEFAULT JUDGMENT**

vs.

High Road Builders, LLC, and Earl Christian
Rode, IV, individually,

Defendants.

The above-entitled matter came before the Honorable Joseph R. Klein, Judge of District Court, on January 27, 2026, on the motion for a default judgment brought by Plaintiff State of Minnesota (“the State”) against Defendants High Road Builders, LLC and Earl Christian Rode, IV (collectively, “Defendants”). Assistant Attorney General Bennett Hartz appeared on behalf of Plaintiff. No appearance was made on behalf of either Defendant.

Based upon the submissions, pleadings, and arguments of counsel, IT IS HEREBY ORDERED that:

1. The State’s Motion is **GRANTED** and the Court **ORDERS** default judgment in favor of the State as to both Defendants High Road Builders, LLC, and Earl Christian Rode, IV, jointly and severally, on Counts I, II, and III of the Complaint.

DECLARATORY RELIEF

2. The State's request for declaratory relief is **GRANTED**. The Court declares that Defendants' conduct as described in the State's Complaint violated Minnesota Statutes sections 325F.69, subdivision 1 (Prevention of Consumer Fraud Act), 325D.44, subdivision 1 (Deceptive Trade Practices Act), and 325F.67 (False Statement in Advertising Act).

3. In particular, Defendants violated Minnesota Statutes sections 325D.44, subdivision 1 and 325F.69, subdivision 1 by:

- a. Misrepresenting and misleading consumers to believe that Defendants were licensed to perform home renovation work;
- b. Misrepresenting and misleading consumers to believe that Defendants had an insurance policy insuring their home renovation work;
- c. Misrepresenting and misleading consumers to believe that Mr. Rode was affiliated with legitimate third-party companies with whom he had no connection whatsoever, including by creating false contracts and invoices;
- d. Misrepresenting and misleading consumers to believe that in exchange for payment, Defendants would provide completed home renovations for them;
- e. Misrepresenting and misleading consumers to believe that in exchange for payment, Defendants would provide home renovation materials and services to them;
- f. Misrepresenting and misleading consumers about Defendants' payment schedule for home renovation projects;
- g. Misrepresenting and misleading consumers about the time frame in which Defendants would begin their home renovation projects;
- h. Misrepresenting and misleading consumers about the time frame in which Defendants would complete their home renovation projects;
- i. Misrepresenting and misleading consumers about the progress that Defendants had made on their home renovation project;
- j. Misrepresenting and misleading consumers to believe that Defendants would obtain the building permits necessary for their home renovation project;

- k. Misrepresenting and misleading consumers to believe that Defendants would issue refunds to them; and
 - l. Performing minimal work on consumers' home renovation projects to fraudulently induce further payment from consumers and then abandoning the project after receiving payment.
4. Defendants violated Minnesota Statutes section 325F.67 by:
- a. Falsely advertising that Defendants provide complete home renovation services when in fact they routinely fail to complete or even begin their projects;
 - b. Falsely representing themselves to be licensed contractors when they were not;
 - c. Falsely representing themselves to be insured when they were not; and
 - d. Falsely representing Mr. Rode to be working for legitimate third-party construction contractors when he was not.

INJUNCTIVE RELIEF

5. The State's request for injunctive relief is **GRANTED**. The Court permanently enjoins Defendants, as well as their employees, officers, directors, agents, successors, assignees, affiliates, merged or acquired predecessors, parent or controlling entities, subsidiaries, and all other persons acting in concert or participation with them who receive actual notice of the order from the Minnesota Attorney General or otherwise, from, directly or indirectly:

- A. Owning, operating, directing, controlling, managing, or participating in the activities of any corporation, limited liability company, or other entity that engages in the business of providing residential construction, remodeling, installation, renovation or related services in Minnesota or to any Minnesota person;
- B. Selling, offering, soliciting, advertising, marketing, accepting payment for, rendering, engaging in, or assisting with any construction, remodeling, installation, renovation or related services in Minnesota or to any Minnesota person;
- C. Initiating litigation or threatening to initiate litigation against, or engaging in any other effort to collect payment from, consumers relating to contracts,

agreements, or home construction or renovation services derived from Defendants' practices described in the State's Complaint;

- D. Engaging in any conduct that violates Minnesota Statutes sections 325F.67, 325F.69, or 325D.44; and
- E. From conspiring with any other person to violate this Order.

RESTITUTION

6. The State's request for restitution for Minnesota consumers harmed by Defendants' deceptive and misleading conduct pursuant to Minnesota Statutes section 8.31 and the Attorney General's *parens patriae* authority, as well as the equitable powers of this Court is **GRANTED**. The Court **ORDERS** Defendants to pay, jointly and severally, \$1,269,650.00 in restitution in favor of the State within 30 days after the entry of this Order. This amount reflects the total amount currently known to be necessary to remediate and make consumers whole for their losses related to Defendants' deceptive and misleading practices, as well as divest money Defendants improperly gained from their fraudulent scheme. The Attorney General shall notify and distribute restitution to consumers injured by Defendants in an equitable manner in his discretion and in accordance with Minnesota Statutes sections 8.31. Any remaining restitution funds that cannot reasonably be distributed to consumers shall be deposited in the Consumer Protection Restitution Account in accordance with Minnesota Statutes section 8.31, subdivision 2c.

CIVIL PENALTIES

8. The State's request for civil penalties pursuant to Minnesota Statutes section 8.31, subdivision 3 is **GRANTED**. Minnesota Statutes section 8.31 provides for civil penalties up to \$25,000 per violation. Based on the factors outlined in *State v. Alpine Air Products, Inc.*, 490 N.W.2d 888, 896-97 (Minn. App. 1992), *aff'd* 490 N.W.2d 888 (Minn. 1992), the Court **ORDERS** Defendants to pay to the State, jointly and severally, a civil penalty of \$1,269,650.00. For purposes

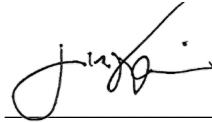
of Minnesota Statutes section 8.37, none of this civil penalty award is “consumer enforcement public compensation” as defined by that section, and the entirety of this civil penalty award shall be remitted in accordance with Minnesota Statutes section 8.37.

COSTS AND FEES

7. The State’s request for payment of the costs of its investigation and reasonable attorney’s fees pursuant to Minnesota Statutes section 8.31, subdivision 3a is **GRANTED**. Within 30 days of entry of this Order, the Attorney General may file with the Court a motion and supporting documentation pursuant to Minnesota General Rules of Practice 119 seeking an award of its costs and disbursements, including costs of investigation and reasonable attorney’s fees.

BY THE COURT:

Dated: 1/27/2025



The Honorable Joseph R. Klein
Judge of District Court

THERE BEING NO CAUSE FOR FURTHER DELAY, LET JUDGMENT BE ENTERED IMMEDIATELY.