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Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A22-0998**

In re the Marriage of:
Michael Robert Jacobson, petitioner,
Respondent,

vs.
Dunja Vukosavovic,
Appellant.

**Filed May 15, 2023
Affirmed
Johnson, Judge**

Chisago County District Court
File No. 13-FA-22-64

Timothy D. Lees, Lees Family Law, Ltd., Edina, Minnesota (for respondent)

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Considered and decided by Johnson, Presiding Judge; Worke, Judge; and Bryan,
Judge.

NONPRECEDENTIAL OPINION

JOHNSON, Judge

A Minnesota resident petitioned the district court for the dissolution of his marriage to a Florida resident. The Florida resident moved to dismiss the case for lack of personal jurisdiction. The district court denied the motion on the ground that the Florida resident has the requisite minimum contacts with Minnesota. We conclude that the district court

did not err by denying the motion to dismiss. We also conclude that the district court did not err by denying the Florida resident's motion challenging venue and her motion seeking conduct-based attorney fees. Therefore, we affirm.

FACTS

Michael Robert Jacobson has alleged that he is a Minnesota resident. Dunja Vukosavovic is or was a resident of California who was present in Florida throughout much of late 2020 and early 2021. The facts recited below are found in Jacobson's petition for dissolution and the affidavits he filed in response to Vukosavovic's motion to dismiss. For purposes of this opinion, we assume Jacobson's allegations to be true, even if they are in conflict with factual statements in Vukosavovic's affidavits.

Jacobson and Vukosavovic began dating each other in Florida in early 2021. They were married in Florida on May 20, 2021, after a brief engagement. One day later, Vukosavovic, who was born in Yugoslavia, spoke by telephone with her New York-based immigration lawyer. Vukosavovic then "insisted" that Jacobson make her a joint owner of two residential properties he owned because doing so would improve her prospects for obtaining U.S. citizenship. Jacobson promptly executed warranty deeds to convey two parcels of residential property that he then owned—a home in Lindstrom, Minnesota, and a home in Naples, Florida (the latter of which he had acquired in December 2020)—to himself and Vukosavovic in joint tenancy.

Vukosavovic visited Minnesota on two occasions in the summer of 2021. Jacobson and Vukosavovic hosted Vukosavovic's brother and nephew at the Lindstrom property

from May 23 to 31, 2021, and Vukosavovic also was in Minnesota from June 26 to 28, 2021.

A few months later, the parties' relationship began to deteriorate. In September 2021, Jacobson discovered that Vukosavovic had been engaged to another man during their courtship and, as of February 21, 2021, was planning a wedding with the other man for March 20, 2021. Jacobson also discovered that the other man had, on January 25, 2021, and February 19, 2021, conveyed Florida real property to Vukosavovic with quit-claim deeds, in consideration of a payment of ten dollars and "love and affection," initially by conveying a condominium unit to the two of them in joint tenancy and later conveying it to Vukosavovic as the sole grantee. On March 24, 2021, Vukosavovic's former fiancé commenced a lawsuit against her in a Florida trial court, alleging that he is "of advanced age" and that she engaged in fraud and undue influence over him. In addition, Jacobson discovered that a third man had conveyed Florida real property to himself and Vukosavovic as joint tenants with a quit-claim deed dated December 16, 2020, also with stated consideration of a payment of ten dollars and "love and affection." The same Florida attorney prepared the three deeds executed by the two other men.

Soon thereafter, Jacobson returned to Minnesota and began making plans to obtain a divorce. Vukosavovic remained in Florida at the parties' jointly owned Naples home, which required Jacobson to cancel agreements to rent out the home during the period of January to March 2022, thereby incurring cancellation fees and forgoing rental income. As of April 2022, Jacobson was making all mortgage payments and paying for all utilities for both the Naples home and the Lindstrom home.

Jacobson initially filed a dissolution action in Collier County, Florida. At the time of filing, however, Jacobson did not satisfy Florida's residency requirement. He voluntarily dismissed the action after Vukosavovic said she would move to dismiss it.

In November 2021, Jacobson petitioned the district court in Chisago County, Minnesota, for dissolution of the marriage. Vukosavovic moved to dismiss the petition on the ground that neither Jacobson nor Vukosavovic satisfied the 180-day residency requirement for a dissolution of marriage. *See* Minn. Stat. § 518.07, subd. 1(1) (2022). On February 4, 2022, the district court granted the motion for the reasons urged by Vukosavovic and dismissed the petition. The district court also granted Vukosavovic's motion for conduct-based attorney fees and awarded her \$999.

In March 2022, Jacobson commenced this action by filing a second dissolution petition in the district court in Chisago County. Vukosavovic promptly moved to dismiss for lack of personal jurisdiction, to dismiss for improper venue, and for a second award of conduct-based attorney fees. In June 2022, the district court denied Vukosavovic's motions. Vukosavovic appeals.

DECISION

I. Motion to Dismiss

Vukosavovic first argues that the district court erred by denying her motion to dismiss for lack of personal jurisdiction.

A.

The concept of personal jurisdiction, which flows from the Due Process Clause of the Fourteenth Amendment, is concerned with whether a state has "authority to bind a

nonresident defendant to a judgment of its courts.” *Walden v. Fiore*, 571 U.S. 277, 283 (2014). In Minnesota, a statute provides that a state court “may exercise personal jurisdiction over” an out-of-state defendant “in the same manner as if the defendant were a resident” of the state, so long as one of four prerequisites is satisfied. Minn. Stat. § 543.19, subd. 1 (2022). The statute is broad enough to authorize any exercise of personal jurisdiction that is permitted by the Due Process Clause. *See Vikse v. Flaby*, 316 N.W.2d 276, 281 (Minn. 1982). Consequently, Minnesota courts typically apply federal constitutional caselaw to determine whether personal jurisdiction exists. *Rilley v. MoneyMutual, LLC*, 884 N.W.2d 321, 327 (Minn. 2016).

Federal caselaw provides that a state court may exercise personal jurisdiction over an out-of-state defendant if the defendant has “minimum contacts” with the forum state so that the exercise of personal jurisdiction does not offend “traditional notions of fair play and substantial justice.” *International Shoe Co. v. Washington*, 326 U.S. 310, 316 (1945) (quotation omitted). To satisfy the requirement of minimum contacts, the out-of-state defendant must have “purposefully availed” herself of the privilege of conducting activities within the forum state such that the defendant “should reasonably anticipate being haled into court there.” *Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 474-82 (1985) (quotation omitted); *see also V.H. v. Estate of Birnbaum*, 543 N.W.2d 649, 656-57 (Minn. 1996).

If a defendant challenges the existence of personal jurisdiction, the plaintiff or petitioner has the burden to show that the defendant or respondent has sufficient contacts with Minnesota to support the district court’s exercise of jurisdiction. *Bandemer v. Ford Motor Co.*, 931 N.W.2d 744, 749 (Minn. 2019); *Juelich v. Yamazaki Mazak Optonics*

Corp., 682 N.W.2d 565, 569-70 (Minn. 2004). Upon a motion to dismiss for lack of personal jurisdiction, the allegations in the complaint or petition and any supporting affidavits are assumed to be true for the purposes of determining whether personal jurisdiction exists. *Rilley*, 884 N.W.2d at 326. If a defendant or respondent submits an affidavit in support of a motion to dismiss, the plaintiff or petitioner “cannot rely on general statements for a prima facie showing of personal jurisdiction” but, rather, must submit “specific evidence” that supports the exercise of personal jurisdiction. *Id.* at 334-35 (citing *Hoff v. Kempton*, 317 N.W.2d 361, 363 n.2 (Minn. 1982)). “When reviewing a motion to dismiss for lack of personal jurisdiction, we determine whether, taking all the factual allegations in the complaint and supporting affidavits as true, the plaintiff has made a prima facie showing of personal jurisdiction.” *Id.* at 326. We apply a *de novo* standard of review to a district court’s ruling on a motion to dismiss for lack of personal jurisdiction. *Id.*

In this case, there is no dispute between the parties concerning whether the requirements of Minnesota’s jurisdictional statute are satisfied. The undisputed facts satisfy the first alternative of the statute, that a non-resident “owns, uses, or possesses any real or personal property situated in this state.” Minn. Stat. § 543.19, subd. 1(1) (2022). The parties’ dispute is focused on the constitutional issue of minimum contacts.

Minnesota courts apply a five-factor test to determine whether the exercise of personal jurisdiction is consistent with due process. We consider (1) the quantity of the contacts with Minnesota, (2) the nature and quality of the contacts with Minnesota, (3) the connection of the cause of action with the contacts with Minnesota, (4) Minnesota’s interest in providing a forum for resolution of the dispute, and (5) the convenience of the parties.

Juelich, 682 N.W.2d at 570. The first three factors are the “primary factors” and determine whether the requisite minimum contacts exist. *Dent-Air, Inc. v. Beech Mountain Air Serv., Inc.*, 332 N.W.2d 904, 907 (Minn. 1983). The fourth and fifth factors are the “secondary factors” and determine whether the exercise of personal jurisdiction comports with traditional notions of fair play and substantial justice. *Marquette Nat’l Bank v. Norris*, 270 N.W.2d 290, 295 (Minn. 1978).

B.

The district court did not rely on the five-factor test to structure its analysis. Rather, the district court focused on the fact that, because Vukosavovic jointly owns real property in Minnesota, she has “reaped the financial benefits” of her joint ownership of the property by receiving rental income. On appeal, however, both parties present arguments based on the five-factor test. We will discuss each of the five factors. To reiterate, for purposes of this appeal from a pre-trial motion to dismiss, we assume as true the allegations in Jacobson’s petition and affidavits. *See Riley*, 884 N.W.2d at 326.¹

¹In her reply brief, Vukosavovic argues that this court should disregard or discredit Jacobson’s sworn factual statements to the extent that they are inconsistent with other evidence that she has introduced. She cites no caselaw in support of the argument. The argument is inconsistent with *Riley* and other Minnesota opinions, which require district courts and appellate courts to assume Jacobson’s factual statements to be true for purposes of a motion to dismiss for lack of personal jurisdiction. *See Riley*, 884 N.W.2d at 326; *Marquette Nat’l Bank*, 270 N.W.2d at 292. Vukosavovic also argues that this court should disregard or discredit Jacobson’s sworn factual statements to the extent that they are inconsistent with findings or conclusions made by the district courts in Jacobson’s two prior dissolution actions. In support of this argument, she cites *Kiesow v. Kiesow*, 133 N.W.2d 652 (Minn. 1965). In that case, the supreme court considered, under a now-outdated statutory scheme, whether a party should be allowed to bring multiple successive motions to amend an award of alimony and a division of marital property. *Id.* at 659. The *Kiesow* opinion simply does not apply to prior determinations of purely factual issues such

1. Quantity of Contacts

As stated above, Vukosavovic owns real property in Minnesota. In addition, Vukosavovic has visited Minnesota twice, from May 23 to 31, 2021, and from June 26 to 28, 2021. There is no particular minimum quantity of contacts required for compliance with due process. *See Marquette Nat'l Bank*, 270 N.W.2d at 295. Even a “single contact can suffice to establish personal jurisdiction.” *Sherburne County Soc. Servs. v. Kennedy*, 426 N.W.2d 866, 868 (Minn. 1988).

Vukosavovic contends that her contacts with Minnesota are less than those of the non-resident party in *Mahoney v. Mahoney*, 433 N.W.2d 115 (Minn. App. 1998), *rev. denied* (Minn. Feb. 10, 1989), in which this court concluded that minimum contacts were lacking. The non-resident spouse in *Mahoney* previously had owned real property in Minnesota but had disposed of it before the dissolution proceedings by quit-claiming it to the resident spouse. *Id.* at 119. As a result, the Minnesota real property “no longer [had] any connection to the dissolution.” *Id.* In this case, in contrast, Vukosavovic has not quit-claimed away or otherwise disclaimed her interest in Minnesota real property. In that way, Vukosavovic has a contact with Minnesota that the non-resident spouse in *Mahoney* did not have. Furthermore, the *Mahoney* opinion states, “A nonresident’s contacts with the forum *state*, not with *residents* of the forum, determine whether minimum contacts exist.”

as those at issue in this case. Vukosavovic does not argue that the doctrine of collateral estoppel applies, perhaps because the factual issues in this case are different from the factual issues in the prior cases. In any event, we reject Vukosavovic’s arguments in favor of the rule that we assume as true the allegations in Jacobson’s petition and affidavits. *See Riley*, 884 N.W.2d at 326.

Id. at 118 (emphasis in original) (citing *West American Ins. Co. v. Westin, Inc.*, 337 N.W.2d 676, 679 (Minn. 1983)). Vukosavovic has a meaningful contact with the state of Minnesota because she owns real property within the state.

Thus, the quantity of contacts between Vukosavovic and Minnesota is sufficient to support the exercise of personal jurisdiction over Vukosavovic.

2. Nature and Quality of Contacts

Vukosavovic acquired her ownership interest in Minnesota real property during the parties' marriage. One day after the parties' wedding, Vukosavovic urged Jacobson to make her a joint owner of his two residential properties, and he did so. In addition, Vukosavovic's two visits to Minnesota were during the parties' marriage. On one of the visits, Jacobson and Vukosavovic hosted Vukosavovic's brother and nephew for eight days at the Lindstrom property.

A non-resident's ownership of real property in the forum state is a significant contact for purposes of the minimum-contacts analysis. The United States Supreme Court has stated that "the presence of property in a State may bear on the existence of jurisdiction by providing contacts among the forum State, the defendant, and the litigation." *Shaffer v. Heitner*, 433 U.S. 186, 207 (1977). Furthermore, a non-resident's ownership of real property in the forum state "would normally indicate that [she] expected to benefit from the State's protection of [her] interest." *Id.* at 208. In this case, Vukosavovic's ownership of real property in Minnesota is a meaningful contact with the forum state. *See Estate of Conneran v. Knipe*, No. A21-1345, 2022 WL 2431650, at *4 (Minn. App. July 5, 2022)

(reasoning that second factor supported personal jurisdiction because non-resident appellant owned real property in Minnesota).

It is true that a non-resident party's ownership of real property, by itself, generally "would not support the State's jurisdiction." *See Shaffer*, 433 U.S. at 209; *cf. id.* at 210 n.37 (declining to consider "whether the presence of a defendant's property in a State is a sufficient basis for jurisdiction when no other forum is available to the plaintiff"). But it is also true that the combination of property ownership and "other ties" to a forum state may constitute the requisite minimum contacts. *Id.* at 209. In this case, Vukosavovic's visits to Minnesota, and her week-long visit to the Lindstrom property in particular, enhance the nature and quality of her contacts with Minnesota and provide the "other ties" necessary for the exercise of personal jurisdiction. *See id.*; *see also Howells v. McKibben*, 281 N.W.2d 154, 157 (Minn. 1979) (reasoning that non-resident defendant's visits to and activities in Minnesota were of a "significant" quality).

Vukosavovic contends that this factor does not support the exercise of personal jurisdiction on the ground that she did not take any action to acquire her ownership interest in the Lindstrom property but, rather, was a passive recipient of Jacobson's unilateral decision to convey a property interest to her. Vukosavovic's contention is consistent with the caselaw, which requires that "there be some act by which the defendant purposely avails [herself] of the privilege of conducting activities within the forum state." *Sherburne County*, 426 N.W.2d at 869 (quoting *Hanson v. Denckla*, 357 U.S. 235, 253 (1958)). But Vukosavovic's contention is inconsistent with Jacobson's allegations, which indicate that she was not a passive recipient of Jacobson's gratuitous generosity. Jacobson has alleged

that, one day after their wedding, Vukosavovic spoke by telephone with her immigration attorney, who recommended that Jacobson convey his real property interests to Vukosavovic, after which Vukosavovic “insisted” that Jacobson do so. Jacobson proceeded to execute a warranty deed with respect to the Lindstrom property, which was filed with the Chisago County recorder by a Minnesota attorney within a week after the wedding. This evidence is sufficient to prove that Vukosavovic purposely availed herself of the benefits of the forum state.

Thus, the nature and quality of contacts between Vukosavovic and Minnesota support the exercise of personal jurisdiction over Vukosavovic.

3. Connection of the Cause of Action with Contacts

In a dissolution action, the district court must divide marital property in an equitable manner. Minn. Stat. § 518.58, subd. 1 (2022); *see also Gill v. Gill*, 919 N.W.2d 297, 302 (Minn. 2018). Because the parties’ marriage is very short in duration and they do not have any joint children, the disposition of the Lindstrom property is likely to be a significant issue for the district court to resolve.

The United States Supreme Court has stated that “when claims to the property itself are the source of the underlying controversy between the plaintiff and the defendant, it would be unusual for the State where the property is located not to have jurisdiction.” *Shaffer*, 433 U.S. at 207. That is the situation in this case, in which the disposition of the Lindstrom property is likely to be the focus of the parties’ arguments at trial. In this way, this case is different from *Mahoney*, in which the parties had visited Minnesota numerous times more than a decade earlier, and the non-resident spouse had visited the resident

spouse in Minnesota periodically in the decade before dissolution proceedings. 433 N.W.2d at 118. But this court reasoned that those contacts had “no connection with the dissolution action.” *Id.* at 119.

Thus, the strong connection between the Lindstrom property and the dissolution action supports the exercise of personal jurisdiction over Vukosavovic.

4. Interest of the State in Providing a Forum

A state has “strong interests in assuring the marketability of property within its borders and in providing a procedure for peaceful resolution of disputes about the possession of that property.” *Shaffer*, 433 U.S. at 208; *see also Piletich v. Deretich*, 328 N.W.2d 696, 700 (Minn. 1982).

Vukosavovic contends that Minnesota does not have a strong interest in providing a forum for Jacobson because the state does not have an interest in allowing people to move to Minnesota merely to obtain a divorce. In support of this contention, Vukosavovic cites *Thelen v. Thelen*, 78 N.W. 108 (Minn. 1899), in which the supreme court concluded that North Dakota did not have jurisdiction over a dissolution action because the petitioning husband “never had any bona fide intention of removing to North Dakota” and “merely went there temporarily, for the express and sole purpose of obtaining a divorce.” *Id.* at 109. The facts of this case are significantly different. Jacobson has lived in and owned real property in Minnesota for years, and he considered Minnesota to be the state of his residence before he married Vukosavovic. In addition, Minnesota has an interest in providing a forum for disputes concerning ownership of real property within the state. *Shaffer*, 433 U.S. at 208; *Piletich*, 328 N.W.2d at 700.

Thus, Minnesota's interest in providing a forum supports the exercise of personal jurisdiction over Vukosavovic.

5. Convenience of the Parties

The parties presently reside in Minnesota and Florida, respectively. They jointly own real property in each state. As a consequence, the "convenience of the parties and witnesses is a neutral factor in the analysis." *Juelich*, 682 N.W.2d at 576. Thus, the convenience of the parties neither favors nor disfavors the exercise of personal jurisdiction over Vukosavovic.

6. Summary

All three of the primary factors support the exercise of personal jurisdiction over Vukosavovic. In addition, the fourth factor supports the exercise of personal jurisdiction over Vukosavovic. The fifth factor is neutral. Because four of five factors support the exercise of personal jurisdiction over Vukosavovic, the district court did not err by denying her motion to dismiss for lack of personal jurisdiction. *See JL Schwieters Constr., Inc. v. Goldridge Constr., Inc.*, 788 N.W.2d 529, 535 (Minn. App. 2010) (stating in *dicta* that district court had personal jurisdiction over non-resident defendant that bought Minnesota real property and borrowed money from Minnesota bank to finance development); *First Bank & Trust v. Larson*, No. A11-328, 2011 WL 6141635, at *3-4 (Minn. App. Dec. 12, 2011) (concluding that district court had personal jurisdiction over non-resident defendant that purchased real property and obtained financing in Minnesota); *see also Williams v. Williams*, 433 A.2d 1316, 1319 (N.H. 1981) (concluding that trial court had personal jurisdiction in dissolution action over non-resident spouse who jointly owned real property

in forum state and had other contacts there); *Holt v. Holt*, 255 S.E.2d 407, 412-13 (N.C. Ct. App. 1979) (concluding that trial court had personal jurisdiction in post-dissolution proceeding over non-resident former spouse who owned real property in forum state that was connected to parties' dispute); cf. *KSTP-FM, LLC v. Specialized Communications, Inc.*, 602 N.W.2d 919, 923-26 (Minn. App. 1999) (concluding that district court did *not* have personal jurisdiction over non-resident company that "never . . . owned property . . . in Minnesota").

We reiterate that this decision is based on the record of Vukosavovic's motion to dismiss, at which stage we must assume Jacobson's allegations to be true. *See Riley*, 884 N.W.2d at 326. Nonetheless, Vukosavovic "is not foreclosed from a complete litigation of the issue at trial on the merits." *Wuertz v. Garvey*, 178 N.W.2d 630, 632 (Minn. 1970). If Vukosavovic wishes to raise the personal-jurisdiction issue again at trial, Jacobson will be required to prove the facts necessary to establish personal jurisdiction. *Id.*

II. Motion Concerning Venue

Vukosavovic also argues that the district court erred by denying her motion to dismiss the action on the ground that a Minnesota venue is inconvenient for her.

Vukosavovic's motion was based on the statute governing venue in dissolution actions. The statute generally provides that a "proceeding for dissolution" shall be "venued in the county where either spouse resides." Minn. Stat. § 518.09 (2022). The statute also provides that the district court has "the power . . . to change the place of hearing by consent of the parties, or when it appears to the court that an impartial hearing cannot be had in the county where the proceedings are pending, or when the convenience of the parties or the

ends of justice would be promoted by the change.” *Id.* On a motion for a change of venue, the moving party bears the burden of showing that the circumstances required by the statute are present. *Krogstad v. Krogstad*, 388 N.W.2d 376, 385 (Minn. App. 1986). This court applies an abuse-of-discretion standard of review to a district court’s ruling on a motion to change venue. *Toughill v. Toughill*, 609 N.W.2d 634, 642 (Minn. App. 2000).

In this case, the district court’s order does not specifically analyze Vukosavovic’s motion to dismiss based on the venue statute. On appeal, Vukosavovic does not argue that the district court erred by not analyzing that part of her motion. She argues only that she should not be required to appear in a Minnesota court, and she asks this court to order, pursuant to section 518.09, that dissolution proceedings occur in Collier County, Florida. She cites no authority for the proposition that section 518.09 allows for the dismissal of a dissolution action for reasons related to venue. She also cites no authority for the proposition that section 518.09 allows for a transfer of a dissolution action to a court in another state, as opposed to a court in a different county within Minnesota. We are unaware of any such authority. In any event, Vukosavovic has not identified any exceptional reasons why she cannot travel to Minnesota for court proceedings or why dissolution proceedings in Minnesota would be more inconvenient for her than dissolution proceedings in Florida would be for Jacobson. Accordingly, she has not demonstrated that “an impartial hearing cannot be had” in Chisago County or that “the convenience of the parties or the ends of justice would be promoted by the change” she has requested. *See* Minn. Stat. § 518.09.

Thus, the district court did not err by impliedly denying Vukosavovic's motion to dismiss based on venue.

III. Motion for Attorney Fees

Vukosavovic last argues that the district court erred by denying her motion for conduct-based attorney fees.

In a dissolution proceeding, the district court may, in its discretion, award conduct-based attorney fees against a party who “unreasonably contributes to the length or expense of the proceeding.” Minn. Stat. § 518.14, subd. 1 (2022); *Szarzynski v. Szarzynski*, 732 N.W.2d 285, 295 (Minn. App. 2007); *Geske v. Marcolina*, 624 N.W.2d 813, 818-19 (Minn. App. 2001). The moving party has the burden of showing that the conduct unreasonably contributed to the length or expense of the proceeding. *Geske*, 624 N.W.2d at 818. That determination generally depends on “the impact a party’s behavior has had on the costs of the litigation.” *Dabrowski v. Dabrowski*, 477 N.W.2d 761, 766 (Minn. App. 1991). This court applies an abuse-of-discretion standard of review to a district court’s ruling on a motion for conduct-based attorney fees. *Haefele v. Haefele*, 621 N.W.2d 758, 767 (Minn. App. 2001), *rev. denied* (Minn. Feb. 21, 2001).

In this case, the district court denied Vukosavovic's motion based on its finding that Jacobson “did not unreasonably contribute to the length or expense of these proceedings.” On appeal, Vukosavovic contends that Jacobson unreasonably increased the length or expense of proceedings by commencing a total of three dissolution actions, the first two of which were improperly filed. But Vukosavovic already has received an award of attorney fees relating to Jacobson's prior Minnesota dissolution action. Vukosavovic does not

contend that Jacobson acted unreasonably in filing this dissolution action and in resisting Vukosavovic's motion to dismiss.

Thus, the district court did not err by denying Vukosavovic's motion for conduct-based attorney's fees.

Affirmed.