STATE OF MINNESOTA
IN COURT OF APPEALS
A25-1806

In re the Marriage of:

Corey Andrew Stern, petitioner,
Appellant,

vs.

Rachel Ruth Stern,
Respondent.

Filed August 10, 2026
Affirmed
Johnson, Judge

Dakota County District Court
File No. 19AV-FA-24-1518

Kirby E.M. MacLean, Dudley & Smith, P.A., Mendota Heights, Minnesota (for appellant)

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

Considered and decided by Rasmusson, Presiding Judge; Johnson, Judge; and Kirk, Judge.*

NONPRECEDENTIAL OPINION

JOHNSON, Judge

Corey Andrew Stern and Rachel Ruth Stern were married for 20 years until their marriage was dissolved. The district court divided the parties' marital property by

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*Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to Minn. Const. art. VI, § 10.

awarding approximately 70 percent of net assets to Rachel and approximately 30 percent of net assets to Corey. We conclude that, given the particular circumstances of this case and the evidence introduced at trial, the district court did not abuse its discretion in dividing marital property. Therefore, we affirm.

FACTS

Corey and Rachel were married in July 2005. They separated in November 2023, and Corey petitioned for dissolution of the marriage in June 2024. The parties have no children together.

Both Corey and Rachel worked full-time jobs throughout the marriage. Rachel worked for a large corporation, where she was promoted to an executive position in 2013. After her promotion, Rachel's job was stressful and required long hours. In addition, the job required frequent travel, including approximately 30 flights per year. Air travel increased Rachel's risk of a stroke due to a blood-clotting disorder. She experienced a stroke in 2017 but continued working in the same position until 2023, when she resigned. Since 2023, she has worked as a part-time firefighter for the City of Savage and as a fitness instructor. At the time of trial, Corey was employed full-time in the computer-software field as a user-experience architect and part-time as a teacher at a vocational school.

During the early years of the marriage, from 2006 to 2013, Corey and Rachel earned similar incomes, which typically were between $50,000 and $100,000 per year. After Rachel's promotion in 2013, she earned substantially more, typically between $150,000 and $400,000 per year and approximately $700,000 in one year, 2018. Meanwhile, Corey increased his income in 2021, 2022, and 2023 to amounts that were between approximately

$150,000 and approximately $250,000. During the 18-year period of 2006 to 2023, Rachel earned approximately 69 percent, and Corey earned approximately 31 percent, of the parties' total amount of earned income. Before trial, the parties stipulated to mutual waivers of spousal maintenance.

Rachel and Corey generally kept their finances separate. They maintained only one joint checking account, which they used to pay "regular expenses," such as their home mortgage, utility bills, gasoline, and pet expenses. Each used his or her excess earnings for expenditures for individual purposes or for investments in their individually titled investment accounts and individual collections of precious metals and coins. The parties had only one joint investment account, which had a relatively modest balance.

During the marriage, the parties jointly owned a home in the city of Savage. Rachel paid off the mortgage balance in 2018 using her unusually large earnings in that year. After the parties separated in November 2023, Corey purchased a home in the city of Apple Valley. The parties had no debts other than the mortgage loan on Corey's Apple Valley home. The district court found after trial that the total value of the parties' marital property was approximately $3,804,000.

The parties stipulated to the valuation and allocation of nearly all items of marital property. Corey requested that the district court order Rachel to make equalizer payments to him so that the total value of marital property would be divided equally. Rachel requested that she receive 69 percent and that Corey receive 31 percent of net assets, reflecting the relative proportions of income earned by the parties during the marriage.

The district court conducted a trial on two days in May 2025. Corey testified and called three witnesses: a former co-worker, a friend, and a bullion and rare-coin dealer. Rachel testified and called two witnesses: another bullion and rare-coin dealer and the parties' real-estate agent.

In August 2025, the district court filed a 22-page order for judgment with findings of fact and conclusions of law. In the portion of the order that is challenged on appeal, the district court considered several of the statutory factors relevant to the division of marital property and explained why each factor did or did not support an unequal division of marital property. Specifically, the district court considered (1) the length of the marriage; (2) the absence of any prior marriages; (3) each party's age, health, and station; (4) the parties' occupations, amounts and sources of income, vocational skills and employability, needs, and income and opportunity for future acquisition of capital assets; (5) the assets and liabilities in the marital estate; and (6) each party's contribution to the acquisition, preservation, depreciation, or appreciation in the amount or value of the marital property. The district court concluded that an unequal division of marital property was just and equitable based on the following considerations:

> the parties' practice of keeping finances separate, Wife's substantial acquisition, preservation, and appreciation to approximately 70% percent of the marital assets, the impact Wife's prior employment had on her health, each party's ability to acquire future income and capital assets, and the parties' agreements regarding division of the equity in the Savage home.

Accordingly, the district court awarded Rachel marital property valued at approximately $2,661,000 and awarded Corey marital property valued at approximately $1,143,000, which resulted in allocations of approximately 70 percent and 30 percent, respectively. Corey filed a motion to amend the district court's findings of fact and conclusions of law, which the district court denied. Corey appeals.

DECISION

Corey argues that the district court erred in its division of marital property.

In dissolving a marriage, a district court "shall make a just and equitable division of the marital property of the parties without regard to marital misconduct, after making findings regarding the division of the property." Minn. Stat. § 518.58, subd. 1 (2024).

> The court shall base its findings on all relevant factors including the length of the marriage, any prior marriage of a party, the age, health, station, occupation, amount and sources of income, vocational skills, employability, estate, liabilities, needs, opportunity for future acquisition of capital assets, and income of each party. The court shall also consider the contribution of each in the acquisition, preservation, depreciation or appreciation in the amount or value of the marital property, as well as the contribution of a spouse as a homemaker. It shall be conclusively presumed that each spouse made a substantial contribution to the acquisition of income and property while they were living together as spouses.

Id. "An equitable division of marital property is not necessarily an equal division." *Crosby v. Crosby*, 587 N.W.2d 292, 297 (Minn. App. 1998), *rev. denied* (Minn. Feb. 18, 1999). "[E]ach case is to be considered in light of its particular facts." *Lenzmeier v. Lenzmeier*, 231 N.W.2d 71, 74 (Minn. 1975). Accordingly, a district court has "broad discretion" in dividing property. *Crosby*, 587 N.W.2d at 296. This court applies a clear-error standard of review to a district court's findings of fact and an abuse-of-discretion standard of review to the ultimate decision concerning the division of marital property. *Maurer v. Maurer*, 623 N.W.2d 604, 606, 608 (Minn. 2001). In light of the abuse-of-discretion standard of review, this court will affirm a district court's division of marital property if it has an acceptable basis in fact and law. *Servin v. Servin*, 345 N.W.2d 754, 758 (Minn. 1984).

A.

Before addressing Corey's primary arguments, we first consider his argument that the district court erred in its findings concerning Rachel's health and earning potential.

Corey challenges the district court's analysis of certain factors in section 518.58, subdivision 1. With respect to Rachel's health, the district court found that she suffered a stroke in 2017, is managing a blood-clotting disorder that is exacerbated by flying, and is "in stable health." The district court found that Rachel "credibly testified that the difficulties she experienced with her health and the level of stress that resulted from her" executive employment "necessitated a career change as she believed her position was no longer sustainable for her physical and mental health." The district court expressly noted that "neither party presented expert testimony supporting [Rachel's] medical condition(s) and the resulting impact on future employment." The district court stated that these facts "minimally support" Rachel's requested division of marital property.

Under the heading "occupation, amount and sources of income, vocational skills and employability, needs, and income, and opportunity for future acquisition of capital assets," the district court found that Rachel is employed in two part-time jobs and "is earning a significantly lower income than she did previously." Specifically, the district court found that, in 2024, Rachel earned a total of $29,679 in her two part-time jobs and that "she supplements her income through investments." The district court further found that Rachel "will no longer earn at the capacity she did during the marriage." The district court stated that these facts "strongly support" Rachel's requested division of marital property.

Corey contends that these findings are "speculative" and not "grounded in the evidentiary record." He contends further that "the record contains no vocational assessment, labor market analysis, medical limitation, or expert testimony supporting a diminished earning capacity." The district court acknowledged as much, stating that "neither party presented expert testimony supporting Wife's medical condition(s) and the resulting impact on future employment." The evidentiary record was shaped by the parties' respective decisions concerning what evidence to offer and not offer, and Corey does not argue that the district court erred by excluding any of his evidence.

Corey testified that, in his view, Rachel's health has improved, has not prevented her from working, and would not prevent her from again holding an executive position like the one she previously held. But Corey's testimony was contradicted by Rachel's testimony. She testified in detail about the demands of her former executive position, which lessened somewhat after a 2019 reorganization and did not require travel during the COVID-19 pandemic. She also testified about her ongoing blood-clotting disorder and her decision to find employment that would better ensure her health and wellness. The district court made specific findings that Rachel's testimony on these issues was credible and that "the level of stress that resulted from her position . . . necessitated a career change as she believed her position was no longer sustainable for her physical and mental health."

Thus, the district court did not clearly err in its findings concerning Rachel's health and earning potential.

B.

Corey's primary argument is that the district court misapplied section 518.58, subdivision 1, in four ways, thereby resulting in an unequal division of marital property that is not fair and equitable. Specifically, Corey argues that the district court erred by (1) misapplying the statutory presumption that each party has made a substantial contribution to the acquisition of income and property, (2) treating the parties' practice of splitting home-related expenses like a *de facto* post-nuptial agreement, (3) dividing marital assets based on how their financial accounts were titled, and (4) not properly accounting for the parties' mutual waivers of spousal maintenance. We consider each argument in turn.

1.

Corey argues that the district court erred by misapplying the statutory presumption that each party has made a substantial contribution to the acquisition of income and property.

The district court acknowledged the statutory presumption concerning each party's contribution to marital property, which provides, "It shall be conclusively presumed that each spouse made a substantial contribution to the acquisition of income and property while they were living together as spouses." Minn. Stat. § 518.58, subd. 1. The district court then stated that "the parties' agreements and the record evidence reflects a disproportionate contribution of income by Wife and acquisition of property by Wife in reliance on the parties' choice to essentially live as separate financial entities."

Corey does not explain with specificity why the district court's reasoning conflicts with the statutory presumption. The district court did not make any finding or statement that Corey's contribution to the acquisition of income and property was *not* "substantial." The district court found only that Rachel's contribution was "disproportionate" and further found that that fact "supports a disproportionate division of assets." The district court did not misapply the statutory presumption that each spouse made a substantial contribution to the acquisition of income and property.

2.

Corey argues that the district court erred by treating the parties' practice of splitting home-related expenses as if it were a *de facto* post-nuptial agreement.

The district court found that, after Rachel paid off the parties' mortgage in 2018, "the parties had an informal agreement where she retained 80% of the equity in the home and Husband retained 20% of the equity" and, in addition, "the parties began dividing repairs and improvements of the homestead with Wife paying 80% and Husband paying 20%." The district court adopted Rachel's detailed calculation from which the 80:20 ratio was derived. The parties' practice of accounting separately for home-related expenses and home equity factored into the district court's finding that "the parties' agreements and the record evidence reflects a disproportionate contribution of income by Wife and acquisition of property by Wife in reliance on the parties' choice to essentially live as separate financial entities."

Corey argues that the district court treated the parties' oral agreement to split home-related expenses, and to recognize corresponding shares in home equity, as if it were an enforceable post-nuptial agreement, without applying the law governing such agreements. *See* Minn. Stat. § 519.11 (2024). The district court discussed the parties' 80:20 agreement as part of its consideration of the parties' respective contributions to "the acquisition, preservation, depreciation or appreciation in the amount or value of the marital property," consideration of which is expressly required by statute. *See* Minn. Stat. § 518.58, subd. 1. The district court expressly acknowledged that the parties did not have a pre-nuptial or post-nuptial agreement. Corey does not cite any caselaw for the proposition that the district court was required to apply the law governing pre-nuptial and post-nuptial agreements in the circumstances of this case. The district court did not err by relying on evidence of the parties' informal agreement concerning home-related expenses and home equity without applying the law governing pre-nuptial and post-nuptial agreements.

3.

Corey also argues that the district court erred by dividing marital assets based on how financial accounts were titled.

For context, the parties had only two joint accounts—a checking account, which had been closed, and a brokerage account valued at approximately $34,000, which they stipulated before trial would be awarded to Corey. The parties also stipulated before trial on both the value *and the allocation* of nearly all of their individually owned financial accounts, of which 25 belonged to Corey and 14 belonged to Rachel. In other words, the parties agreed that each individually owned financial account would be awarded to the person in whom the account was titled.

The parties' primary dispute at trial focused on Corey's requests for three equalizer payments relating to three assets that they agreed would be allocated to Rachel: the marital home in Savage, which the district court valued at $650,000; Rachel's largest brokerage account, which the parties agreed was valued at approximately $868,000; and Rachel's largest IRA, which was valued at approximately $555,000. The district court ultimately determined that "a disproportionate division of marital assets is warranted based on" five considerations: "the parties' practice of keeping finances separate," Rachel's disproportionate contributions to the acquisition, preservation, and appreciation of marital assets, "the impact [Rachel's] prior employment had on her health," the parties' respective abilities "to acquire future income and capital assets," and "the parties' agreements regarding division of the equity in the Savage home." The district court's division of assets was based on these considerations, not the titling of the parties' financial accounts.

4.

Corey argues that the district court erred by not properly accounting for the parties' mutual waivers of spousal maintenance. The judgment and decree incorporated the parties' stipulation to mutual waivers of spousal maintenance. The district court's division of marital property was based, in part, on "the impact [Rachel's] prior employment had on her health" and each party's ability "to acquire future income and capital assets," which was less for Rachel than for Corey. The district court's reasoning is consistent with the applicable statute, which requires consideration of "all relevant factors," including each party's "health, . . . , occupation, amount and sources of income, vocational skills, employability, [and] opportunity for future acquisition of capital assets. *See* Minn. Stat. § 518.58, subd. 1. Corey does not cite any caselaw for the proposition that a district court must analyze a property-division dispute differently if the parties have waived claims to spousal maintenance. The district court did not err by considering Rachel's future earning potential without considering the parties' mutual waivers of spousal maintenance.

5.

Corey attempts to show that the district court erred in its division of marital property by citing prior opinions in which this court reversed unequal divisions of marital property. *See, e.g.*, *Nemmers v. Nemmers*, 409 N.W.2d 225 (Minn. App. 1987); *Jungbauer v. Jungbauer*, 391 N.W.2d 56 (Minn. App. 1986); *Oberle v. Oberle*, 355 N.W.2d 210 (Minn. App. 1984). Rachel responds by arguing that the cases cited by Corey are distinguishable. We generally agree. The *Jungbauer* opinion, which concerned a 70:30 division, can be distinguished on the ground that the respondent intentionally refrained from finding employment while the dissolution proceeding was pending. 391 N.W.2d at 58. The *Oberle* opinion, which concerned a 62:38 division, can be distinguished on the ground that this court determined that the appellant's income potential was overstated. 355 N.W.2d at 212. The *Nemmers* opinion is of minimal relevance because this court reversed and remanded primarily for additional factfinding. 409 N.W.2d at 228. In any event, even if the cases cited by Corey were factually similar, they would have limited persuasive value inasmuch as each case should be decided in light of its particular facts. *See Lenzmeier*, 231 N.W.2d at 74.

The district court's decision in this case is based on the distinctive facts of the case. The parties had an express agreement that they would split home-related expenses at an 80:20 ratio and that they would recognize that Rachel was entitled to 80 percent of their home equity. After making equal contributions to common expenses, each party individually spent or invested his or her excess income. For most of the marriage, Rachel earned more than Corey. But at the time of trial, Corey earned considerably more than Rachel. To be specific, her income in 2024 was approximately one-tenth of Corey's income in 2023 (the most recent year for which he introduced evidence of his earned income). The district court found that Rachel's income was unlikely to increase in the future in light of her health. Corey has not cited any caselaw with facts that are substantially similar to these facts. And even if he had, the district court had discretion to determine a fair and equitable division of marital property based on the facts in the evidentiary record, which do not compel a different result.

Thus, the district court did not abuse its discretion by dividing marital property in an unequal manner that the district court determined was fair and equitable.

C.

Corey last argues that the district court erred by relying too heavily on Rachel's proposed findings. This court has stated that the "wholesale adoption" of one party's proposed findings could "raise[] the question of whether the trial court independently evaluated each party's testimony and evidence" but that "the verbatim adoption of a party's proposed findings and conclusions of law is not reversible error *per se*." *Bliss v. Bliss*, 493 N.W.2d 583, 590 (Minn. App. 1992), *rev. denied* (Minn. Feb. 12, 1993). In this case, the district court's order is substantially different from Rachel's proposed findings. The differences between the two documents indicate that the district court "independently evaluated each party's testimony and evidence." *See id.* Thus, the district court did not err by placing too much reliance on Rachel's proposed findings.

Affirmed.