

**THE SOCORRO ELECTRIC COOPERATIVE  
INC v. CHARLENE WEST, et. al.**

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**Case Type: Other**  
**Date Filed: 06/29/2010**  
**Location: Valencia County**  
**Judicial Officer: Mitchell, Albert J., Jr.**

Party Information

Attorneys

<b>Defendant</b>	<b>Colburn, William D</b>	<b>Pro Se</b>
<b>Defendant</b>	<b>EL DEFENSOR CHIEFTAIN NEWSPAPER</b>	<b>James M. Dines</b> <i>Retained</i> 505-292-4349(W)
		Gregory P. Williams <i>Retained</i> 505-247-4800(W)
<b>Defendant</b>	<b>Hickox, Alvin B</b>	<b>Pro Se</b>
<b>Defendant</b>	<b>KLEIN, DON KLEIN JR, DON</b>	
<b>Defendant</b>	<b>THE MOUNTAIN MAIL NEWSPAPER</b>	<b>Roscoe A. Woods</b> <i>Retained</i> 575-401-2818(W)
<b>Defendant</b>	<b>Unnamed Members/Owners of the Socorro El</b>	<b>Polly Ann Tausch</b> <i>Retained</i>
		John R. Gerbracht <i>Retained</i> 5058352520(W)
		Lee Deschamps <i>Retained</i> 575-838-0777(W)
<b>Defendant</b>	<b>Wagner, Charles</b>	<b>Lee Deschamps</b> <i>Retained</i> 575-838-0777(W)
<b>Defendant</b>	<b>WEST, CHARLENE</b>	Female <b>Lee Deschamps</b> <i>Retained</i>

Plaintiff **THE SOCORRO ELECTRIC COOPERATIVE INC**

**Darin Foster**  
*Retained*

Events & Orders of the Court

**DISPOSITIONS**

**09/11/2013 Dispositive Motion for Defendant** (Judicial Officer: Mitchell, Albert J., Jr.)  
Comment (Order Granting Dispositive Motions)

**OTHER EVENTS AND HEARINGS**

**06/29/2010 Cause Of Actions** Declaratory Relief  
**Filed By:** THE SOCORRO ELECTRIC COOPERATIVE INC  
**Filed Against:** EL DEFENSOR CHIEFTAIN NEWSPAPER, THE MOUNTAIN MAIL NEWSPAPER, WEST, CHARLENE  
**Action Type** Action

**06/29/2010 ASM: CIVIL FILING W/ ARBITRAT**

**06/29/2010 OPN: COMPLAINT**  
*COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF (DENNIS FRANCISH FOR PL)*

**06/29/2010 SUMMONS ISSUED** (Judicial Officer: Pope, John W. )

**06/29/2010 MTN: MOTION** (Judicial Officer: Pope, John W. )  
*MOTION FOR SERVICE BY PUBLICATION (SIGNATURE ILLEGIBLE)*

**06/29/2010 ORD: ORDER** (Judicial Officer: Pope, John W. )  
*ORDER FOR SERVICE OF PROCESS BY PUBLICATION IN A NEWSPAPER (PETR SHALL SERVE PROCESS ON ALL NAMED MEMBERS/OWNERS OF THE SOCORRO ELECTRIC COOPERATIVE INC INDIVIDUALLY AND AS MEMBERS OF THE SOCORRO ELECTRIC COOPERATIVE BY PUBLICATION ONCE A WEEK FOR 3 CONSECUTIVE WEEKS IN THE MOUNTAIN MAIL AND EL DEFENSOR CHIEFTAIN)*

**07/06/2010 NTC: OF SUIT**  
*NOTICE OF SUIT/SERVICE BY PUBLICATION (RESPONSE DUE WITHIN 20 DAYS OF LATE PUBLICATION DATE)*

**07/22/2010 ANSWER** (Judicial Officer: Pope, John W. )  
*ANSWER TO COMPLAINT FOR DECLARATORY JUDGMENT, INJUNCTIVE RELIEF AND ATTORNEY FEES AND COMPLAINT FOR WRITS OF MANDAMAS, ORDER FOR EXPENSES AND A RULING THAT PLAINTIFF AND ATTORNEY TAKE NOTHING (DEF ALVIN B. HICKOX PRO SE)*

**07/23/2010 ENTRY OF APPEARANCE** (Judicial Officer: Pope, John W. )  
*ENTRY OF SPECIAL APPEARANCE AND RULE 12B DEFENSES (REQUEST TO CHANGE VENUE AND FOR OTHER RELIEF) (DEFS POLLY ANN TAUSCH ADN THOMAS G. FITCH, UNNAMED MEMBERS/OWNERS, PRO SE)*

**07/26/2010 NTC: REQUEST AND NOTICE OF HEARING**  
*REQUEST FOR HEARING (RULE 12B MOTION; DEFS POLLY ANN TAUSCH AND THOMAS G. FITCH PRO SE) NOTICE OF HEARING (SET FOR HEARING ON AUGUST 10, 2010 AT 9:30 A.M., WITH JUDGE POPE AT VCC)*

**07/27/2010 ENTRY OF APPEARANCE** (Judicial Officer: Pope, John W. )  
*JIM DINES FOR DEF EL DEFENSOR CHIEFTON, INDIVIDUALLY AND AS A MEMBER OF THE SOCORRO ELECTRIC COOPERATIVE*

**07/28/2010 ENTRY OF APPEARANCE** (Judicial Officer: Pope, John W. )  
*ENTRY OF APPEARANCE ON BEHALF OF ALVIN HICKOX INDIVIDUALLY AND AS A MEMBER OF THE SOCORRO COUNTY ELECTRIC COOPERATIVE (LEE DESCHAMPS, ATTY FOR THE DEF)*

**07/28/2010 ENTRY OF APPEARANCE** (Judicial Officer: Pope, John W. )

*ENTRY OF APPEARANCE ON BEHALF OF CHARLENE WEST, CHARLIE WAGNER AND CHARLENE WAGNER INDIVIDUALLY AND AS MEMBERS OF THE SOCORRO COUNTY ELECTRIC COOPERATIVE (LEE DESCHAMPS FOR DEF)*

**07/29/2010** [JDG: JUDGE RECUSAL](#) (Judicial Officer: Pope, John W. )  
*NOTICE OF RECUSAL (CHARLENE WEST INDIVIDUALLY AND AS A MEMBER OF THE SOCORRO COUNTY ELECTRIC COOPERATIVE, THROUGH ATTORNEY LEE DESCHAMPS, RECUSES HON. JOHN W. POPE FROM PRESIDING OVER THIS CAUSE OF ACTION)*

**07/29/2010** [ENTRY OF APPEARANCE](#)  
*LIMITED ENTRY OF APPEARANCE PRO SE AND MOTION TO QUASH SERVICE BY PUBLICATION (JOHN GERBRACHT, PRO SE)*

**07/30/2010** [JDG: JUDGE ASSIGN RECUSAL](#)  
*PURSUANT TO RECUSAL OF HON. JOHN W. POPE, CASE HAS BEEN REASSIGNED TO THE HON. WILLIAM A. SANCHEZ, DIV. III*

**07/30/2010** [ANSWER](#) (Judicial Officer: Sanchez, William A. )  
*ANSWER OF DEFENDANT CHARLENE WEST (LEE DESCHAMPS)*

**08/03/2010** [JDG: JUDGE RECUSAL](#) (Judicial Officer: Sanchez, William A. )  
*RECUSAL OF THE HON. WILLIAM A. SANCHEZ, DIV. III BY LEE DESCHAMPS FOR DEF CHARLES WAGNER*

**08/06/2010** [JDG: JUDGE ASSIGN RECUSAL](#)  
*PURSUANT TO RECUSAL OF THE HONORABLE WILLIAM A. SANCHEZ, THIS CASE HAS BEEN REASSIGNED TO THE HON. GEORGE EICHWALD, SANDOVAL COUNTY*

**08/06/2010** [SUMMONS RETURN](#) (Judicial Officer: Eichwald, George P. )  
*RETURN SUMMONS TO: THE MOUNTAIN MAIL NEWSPAPER (SERVED 7-22-2010 TO GARY JARAMILLO)*

**08/06/2010** [SUMMONS RETURN](#) (Judicial Officer: Eichwald, George P. )  
*TO: EL DEFENSOR CHIEFTAIN NEWSPAPER (SERVED 7-22-2010 TO "REBECCA")*

**08/07/2010** [RESPONSE](#) (Judicial Officer: Eichwald, George P. )  
*PLAINTIFF'S RESPONSE TO DEFENDANTS' ENTRY OF SPECIAL APPEARANCE AND RULE 12B DEFENSES (DENNIS FRANCISH)*

**08/09/2010** [RESPONSE](#) (Judicial Officer: Eichwald, George P. )  
*PLAINTIFF'S RESPONSE TO DEFENDANT GERBRACHT'S MOTION TO QUASH SERVICE BY PUBLICATION (DENNIS FRANCISH FOR PL)*

**08/10/2010** [ANSWER](#) (Judicial Officer: Eichwald, George P. )  
*ANSWER OF DEFENDANT CLARK HUST INDIVIDUALLY AND AS A MEMBER OF THE SOCORRO COUNTY ELECTRIC COOPERATIVE (LEE DESCHAMPS)*

**08/10/2010** [JDG: JUDGE EXCUSAL/ CHALLENGE](#) (Judicial Officer: Eichwald, George P. )  
*NOTICE OF EXCUSAL OF THE HONORABLE GEORGE EICHWALD FROM PRESIDING OVER THIS CASE (LEE DESCHAMPS)*

**08/12/2010** [JDG: JUDGE ASSIGN EXCUSAL/ CHALLENGE](#)  
*PURSUANT TO EXCUSAL OF HON. GEORGE EICHWALD, CASE HAS BEEN REASSIGNED TO HON. JOHN F. DAVIS, DIV. II*

**08/12/2010** [REQUEST FOR HEARING/ SETTING](#) (Judicial Officer: Davis, John F. )  
*RULE 12B MOTION*

**08/16/2010** [MTN: MOTION](#) (Judicial Officer: Davis, John F. )  
*MOTION TO STRIKE FURTHER DISQUALIFICATION OF JUDGES (POLLY ANN TAUSCH AND THOMAS G. FITCH, UNNAMED MEMBERS/ OWNERS, SPECIALLY APPEARING PRO SE FOR THE PURPOSES OF THIS MOTION)*

**08/16/2010** [REQUEST FOR HEARING/ SETTING](#) (Judicial Officer: Davis, John F. )  
*MOTION TO STRIKE FURTHER DISQUALIFICATION OF JUDGMENT*

**08/16/2010** [REQUEST FOR HEARING/ SETTING](#) (Judicial Officer: Davis, John F. )  
*FOURTH REQUEST FOR HEARING - RULE 12B MOTION*

**08/16/2010** [REPLY](#)  
*JOHN R. GERBRACHT'S PRO SE REPLY TO PLAINTIFF'S RESPONSE TO SAID GERBRACHT'S MOTION TO QUASH SERVICE BY PUBLICATION*

08/18/2010 **NTC: HEARING (CIVIL)**  
*RULE 12B MOTION SET FOR 8-27-2010 AT 2:00 PM AT THE SANDOVAL COUNTY JUDICIAL COMPLEX WITH JUDGE EICHWALD*

08/19/2010 **ENTRY OF APPEARANCE** (Judicial Officer: Davis, John F. )  
*ROSCOE WOODS FOR DEF MOUNTIAN MAIL NEWSPAPER*

08/19/2010 **MTN: TO DISMISS** (Judicial Officer: Davis, John F. )  
*MOTION TO DISMISS AND MEMORANDUM-RULE 1-012(B) NMRA DEFENSES; MOTION FOR ATTORNEY FEES UNDER PUBLIC UTILITY REGULATORY POLICIES ACT (ROSCOE WOODS FOR DEF MOUNTAIN MAIL*

08/19/2010 **MTN: MOTION** (Judicial Officer: Davis, John F. )  
*MOTION FOR A MORE DEFINITE STATEMENT (DENNIS FRANCISH FOR PL)*

08/19/2010 **STIPULATION**  
*PLAINTIFF, THE SOCORRO ELECTRIC COOPERATIVE, INC.'S STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE OF THE DEFENDANT, EL DEFENSOR CHIEFTAIN, IN ITS INDIVIDUAL CAPACITY AS A NEWSPAPER (DENNIS FRANCISH FOR PL)*

08/20/2010 **AFFIDAVIT OF PUBLICATION** (Judicial Officer: Davis, John F. )  
*EL DEFENSOR CHIEFTAIN 3 TIMES - DATES NOT LEGIBLE*

08/20/2010 **JDG: JUDGE EXCUSAL/PEREMPTORY CHALLENGE** (Judicial Officer: Davis, John F. )  
*PEREMPTORY CHALLENGE (WILLIAM D. COLBURN, PRO SE) EXCUSES THE CURRENTLY ASSIGNED JUDGE, WHOMEVER THAT MIGHT BE, AT THIS TIME, FROM FURTHER PROCEEDINGS IN THIS MATTER*

08/23/2010 **ENTRY OF APPEARANCE** (Judicial Officer: Davis, John F. )  
*DON KLEIN, JR. ENTERS APPEARANCE PRO SE AS DEF, SEC CO-OP MEMBER*

08/23/2010 **MTN: MOTION** (Judicial Officer: Davis, John F. )  
*MOTION TO QUASH SERVICE BY PUBLICATION (DON KLEIN)*

08/23/2010 **MTN: TO DISMISS** (Judicial Officer: Davis, John F. )  
*MOTION TO DISMISS COMPLAINT (DON KLEIN)*

08/23/2010 **MTN: TO DISMISS** (Judicial Officer: Davis, John F. )  
*MOTION TO DISMISS FOR MISLAID VENUE (DON KLEIN)*

08/23/2010 **JDG: JUDGE EXCUSAL/ CHALLENGE** (Judicial Officer: Davis, John F. )  
*ELECTION TO EXCUSE JUDGE (DON KLEIN, JR. GIVES NOTICE HE ELECTS TO EXCUSE THE HON. JOHN F. DAVIS FROM PRESIDING)*

08/23/2010 **JDG: JUDGE RECUSAL** (Judicial Officer: Davis, John F. )  
*RECUSAL ORDER (HON. JOHN F. DAVIS HEREBY RECUSES HIMSELF FROM PRESIDING OVER THIS MATTER)*

08/23/2010 **REPLY**  
*REPLY TO RESPONSE TO ENTRY OF SPECIAL APPEARANCE AND RULE 12B DEFENSES (POLLY ANN TAUSCH AND THOMAS FITCH UNNAMED MEMBERS/OWNERS, PRO SE)*

08/24/2010 **Cause Of Actions** Declaratory Relief (Cross Claim)  
**Action Type** Cross Action

08/24/2010 **CROSSCLAIM** (Judicial Officer: Davis, John F. )  
*CROSS CLAIM & CLASS ACTION CERTIFICATION REQUEST (LEE DESCHAMPS FOR DEFENDANT, CHARLES WAGNER)*

08/25/2010 **SUMMONS ISSUED** (Judicial Officer: Davis, John F. )

08/26/2010 **JDG: JUDGE ASSIGN RECUSAL**  
*PURSUANT TO RECUSAL OF HON. JOHN F. DAVIS, DIV. VII, CASE HAS BEEN REASSIGNED TO THE HONORABLE CAMILLE MARTINEZ-OLGUIN DIV. IV*

08/26/2010 **ENTRY OF APPEARANCE** (Judicial Officer: Olguin, Camille Martinez )  
*PAUL J. KENNEDY & DARIN M. FOSTER ENTER APPEARANCE ON BEHALF OF THE PLAINTIFFS, SOCORRO ELECTRIC COOPERATIVE, INC.*

08/26/2010 **RETURN OF SERVICE**  
*TO: CROSS-CLAIM DEFENDANT, LUIS AGUILAR (SERVED ON 8-25-2010 ) BY SHILOH M. PALLANTE*

08/26/2010 [RETURN OF SERVICE](#)  
*TO: CROSS-CLAIM DEFENDANT LEROY ANAYA (SERVED 8-25-2010 BY SHILOH M. PALLANTE)*

08/26/2010 [RETURN OF SERVICE](#)  
*TO: CROSS-CLAIM DEFENDANT, HAROLD BACA (SERVED 8-25-2010)*

08/26/2010 [RETURN OF SERVICE](#)  
*TO: CROSS-CLAIM DEFENDANT, PAUL BUSTAMANTE (SERVED 8-25-2010)*

08/26/2010 [RETURN OF SERVICE](#)  
*TO: CROSS-CLAIM DEFENDANT, MILTON ULIBARRI (SERVED 8-25-2010) SHILOH PALLANTE, PROCESS SERVER*

08/26/2010 [RETURN OF SERVICE](#)  
*TO: CROSS-CLAIM DEFENDANT, DAVE WADE (SERVED 8-25-2010 BY SHILOH M. PALLANTE, PROCESS SERVER)*

08/26/2010 [RETURN OF SERVICE](#)  
*TO: CROSS-CLAIM DEFENDANT, DONALD WOLBERG (SERVED 8-25-2010 BY SHILOH M. PALLANTE, PROCESS SERVER)*

08/27/2010 [RETURN OF SERVICE](#)  
*TO: HERMAN ROMERO, CROSS CLAIM DEFENDANT (SERVED 8-26-2010)*

08/27/2010 [RETURN OF SERVICE](#)  
*TO: PRISCILLA MAULDIN (SERVED 8-26-2010)*

08/27/2010 [RETURN OF SERVICE](#)  
*TO: VIRGINIA MARQUEZ, CROSS CLAIMANT (SERVED 8-26-2010)*

08/30/2010 [JDG: JUDGE EXCUSAL/ CHALLENGE](#) (Judicial Officer: Olguin, Camille Martinez )  
*ELECTION TO EXCUSE HONORABLE JUDGE CAMILLE MARTINEZ-OLGUIN (ROSCOE WOODS FOR DEF MOUNTAIN MAIL NEWSPAPER)*

08/30/2010 [ENTRY OF APPEARANCE](#) (Judicial Officer: Olguin, Camille Martinez )  
*SPECIAL ENTRY OF APPEARANCE (THOMAS G. FITCH, FOR POLLY ANN TAUSCH AND THOMAS G. FITCH, MEMBERS/OWNERS OF THE SOCORRO ELECTRIC COOPE, BUT WITHOUT ACKNOWLEDGING JURISDICTION OR CONSENTING TO VENUE)*

09/02/2010 [JDG: JUDGE ASSIGN EXCUSAL/ CHALLENGE](#)  
*PURSUANT TO EXCUSAL OF HON. CAMILLE MARTINEZ-OLGUN, THIS CASE HAS BEEN REASSIGNED TO HON. VIOLET OTERO*

09/08/2010 [RETURN OF SERVICE](#)  
*TO: CROSS-CLAIM DEFENDANT, JACK BRUTON (SERVED 9-3-2010)*

09/10/2010 [ENTRY OF APPEARANCE](#) (Judicial Officer: Otero, Violet C. )  
*NOTICE OF ENTRY OF APPEARANCE (PAUL KENNEDY FOR PL/CROSS DEFENDANT, SOCORRO ELECTRIC COOP, PAUL BUSTAMANTE, DAVE WADE, LUIS AGUILAR, MILTON ULIBARRI, LEROY ANAYA, JACK BRUTON, LEO CORDOVA, PRESCILLA MAULDIN, MANUEL MARQUEZ, DONALD WOLBERG, JUAN GONZALES, HAROLD BACA, HERMAN ROMERO, AND LEOPOLDO PINEDA, JR.)*

09/10/2010 [RESPONSE](#) (Judicial Officer: Otero, Violet C. )  
*PLAINTIFF'S CONSOLIDATED RESPONSE TO DEFENDANT DON KLEIN'S MOTION TO QUASH SERVICE BY PUBLICATION; MOTION TO DISMISS ELECTION TO EXCUSE JUDGE, AND MOTION TO DISMISS FOR MISLAID VENUE (PAUL KENNEDY AND DENNIS FRANCISH FOR PL)*

09/10/2010 [ENTRY OF APPEARANCE](#) (Judicial Officer: Otero, Violet C. )  
*NOTICE OF ENTRY OF APPEARANCE (DENNISH FRANCISH FOR PL/ CROSS DEF)*

09/10/2010 [NCJ: DISMISSAL BY PARTY](#) (Judicial Officer: Otero, Violet C. )  
*NOTICE OF VOLUNTARY DISMISSAL (PL VOLUNTARILY DISMISSES ALL DEFENDANTS IN THE CURRENT MATTER WHO HAVE NOT FILED AN ANSWER OR RESPONSIVE PLEADING)*

09/10/2010 [AMENDED NOTICE](#)  
*AMENDED NOTICE OF VOLUNTARY DISMISSAL (PL VOLUNTARILY DISMISSES ALL DEF IN THE CURRENT MATTER WHO HAVE NOT FILED AN ANSWER OR RESPONSIVE PLEADING)*

09/23/2010 **JDG: JUDGE EXCUSAL/ CHALLENGE** (Judicial Officer: Otero, Violet C. )  
*NOTICE OF DISTRICT COURT JUDGE EXCUSAL (MATTHEW W. ROWLAND, DEFENDANT, PRO SE, EXCUSES THE HONORABLE VIOLET OTERO FROM PRESIDING OVER THIS MATTER)*

09/23/2010 **ANSWER TO CROSSCLAIM** (Judicial Officer: Otero, Violet C. )  
*CROSS CLAIM DEFENDANTS' ANSWER TO CROSS CLAIM AND REQUEST FOR CLASS ACTION CERTIFICATION (PAUL KENNEDY/DARIN M. FOSTER FOR CROSS CLAIM DEFENDANTS)*

09/24/2010 **ANSWER TO CROSSCLAIM** (Judicial Officer: Otero, Violet C. )  
*ANSWER OF ALL CROSS CLAIM DEFENDANTS (EXCEPT LEOPOLDO PINEDA, JR) TO CROSS CLAIM AND REQUEST FOR CLASS ACTION CERTIFICATION SUBMITTED BY DENNIS R. FRANCISH FOR CROSS CLAIM DEF*

09/29/2010 **RESPONSE** (Judicial Officer: McDonald, Louis P. )  
*RESPONSE TO MOTION TO DISMISS (PAUL KENNEDY/DARIN FOSTER FOR THE PL)*

09/30/2010 **JDG: JUDGE ASSIGN EXCUSAL/ CHALLENGE**  
*PURSUANT TO EXCUSAL OF HON. VIOLET OTERO, CASE WILL BE REASSIGNED TO THE HON. LOUIS P. MCDONALD, DIV. V*

10/01/2010 **REQUEST FOR HEARING/ SETTING** (Judicial Officer: McDonald, Louis P. )  
*FIFTH REQUEST FOR HEARING (RULE 12B MOTION)*

10/01/2010 **JDG: JUDGE RECUSAL** (Judicial Officer: McDonald, Louis P. )  
*NOTICE OF RECUSAL OF THE HONORABLE LOUIS P. MCDONALD, DIV. V FROM PRESIDING IN THIS CAUSE OF ACTION (LEE DESCHAMPS, FOR DEF AL HICKOX)*

10/06/2010 **JDG: JUDGE ASSIGN EXCUSAL/ CHALLENGE**  
*ALL DISTRICT JUDGES FROM THE 13TH JDC HAVE BEEN EXCUSED OR RECUSED; CLERKS CERTIFICATE FOR OUT OF DISTRICT JUDGE DESIGN DESIGNATION WILL BE MAILED TO THE NM SUPREME COURT ON 10-10-10 \*\*\*\*\*THIS IS A PAPERLESS ENTRY\*\*\*\*\**

10/13/2010 **CERTIFICATE**  
*CLERKS CERTIFICATE MAILED TO NM SUPREME COURT FOR OUT OF DISTRICT JUDGE DESIGNATION COPY OF COMPLAINT AND ALL EXCUSALS/RECUSALS FROM 13TH JUD DISTRICT COURT JUDGES ATTACHED TO CERTIFICATE*

10/14/2010 **REPLY**  
*DEFENDANT MOUNTAIN MAIL NEWSPAPER'S REPLY TO PLAINTIFF'S RESPONSE ROSCOE A. WOODS(ATT FOR DEF MOUNTAIN MAIL NEWSPAPER)*

10/18/2010 **JDG: SUPREME COURT ORDER DESIGNATING JUDGE** (Judicial Officer: Wait, Supreme Court Designation )  
*ORDER DESIGNATING JUDGE NOW, THEREFORE, IT IS ORDERED THAT THE HON EDMUND H. KASE, III, SEVENTH JUDICIAL DISTRICT, SOCORRO, NEW MEXICO, IS APPOINTED TO PRESIDE OVER ALL MATTERS IN VALENCIA COUNTY CAUSE NO. D-1314-CV-2010-00849 DONE AT SANTA FE, NEW MEXICO, THIS 15TH DAY OF OCTOBER, 2010 CHARLES W. DANIELS(CHIEF JUSTICE)*

10/19/2010 **JDG: SUPREME COURT ORDER DESIGNATING JUDGE**  
*ORDER DESIGNATING JUDGE AND VACATING PRIOR DESIGNATION NOW, THEREFORE, IT IS ORDERED THAT THE PREVIOUS DESIGNATION ORDER DATED OCTOBER 15, 2010, IS VACATED AND THAT THE HON. ALBERT J. MITCHELL, JR., TENTH JUDICIAL DISTRICT COURT, TUCUMCARI, NEW MEXICO, IS APPOINTED TO PRESIDE OVER ALL MATTER IN VALENCIA COUNTY CAUSE NO. D-1314-CV-2010-00849. DONE AT SANTA FE, NEW MEXICO, THIS 18TH DAY OF OCTOBER, 2010. CHARLES W. DANIELS(CHIEF JUSTICE)*

10/20/2010 **REQUEST FOR HEARING/ SETTING**  
*SIXTH REQUEST FOR HEARING (POLLY ANN TAUSCH & THOMAS G. FITCH'S RULE 12B MOTION; THOMAS G. FITCH FOR SAID DEFS)*

11/15/2010 **NTC: OF HEARING**

12/03/2010 **NTC: OF HEARING**  
*Before hon. Albert J Mitchell JR on 12/14/10 at 2 pm at the vcc*

12/14/2010 **STATUS HEARING/ CONFERENCE** (3:30 PM) (Judicial Officer Mitchell, Albert J., Jr.)  
[Parties Present](#)  
Result: Held

12/22/2010 **NTC: OF HEARING**  
*NOTICE OF HEARING*

12/22/2010 **NTC: OF HEARING**  
*NOTICE OF HEARING*

12/30/2010 **BRIEF**  
*Hearing Brief on Issues and Change of Venue*

01/20/2011 **BRIEF**  
*Plaintiff's Hearing Brief on Applicability of Requested Relief*

01/20/2011 **MEMORANDUM BRIEF**  
*West, Wagner, et al. Memorandum Brief re: Binding Effect w/o Class Certification*

01/20/2011 **ORD: ORDER**  
*Decision Regarding Venue*

02/04/2011 **RESPONSE**

02/25/2011 **MOTION HEARING** (1:30 PM) (Judicial Officer Mitchell, Albert J., Jr.)  
*Hearing on all pending Motions and Briefs at the Valencia County District Court in Los Lunas, NM*  
[Parties Present](#)  
Result: Held

03/01/2011 **NTC: OF HEARING**  
*Notice of Hearing*

03/18/2011 **ORD: ORDER**  
*(2nd Proposed) Order Dismissing Defendant Don Klein, Jr.*

03/29/2011 **ORD: OF DISMISSAL**  
*Order Dismissing Defendant Mountain Mail*

03/29/2011 **ORD: ORDER**  
*Decision Regarding Applicability of Relief*

03/30/2011 **BRIEF**  
*Brief Relief Requested*

04/13/2011 **RESPONSE TO MEMORANDUM BRIEF**  
*Wagner Response to Brief*

05/18/2011 **MERITS HEARING** (9:30 AM) (Judicial Officer Mitchell, Albert J., Jr.)  
*Partial Merits Hearing at the Socorro County District Court*

05/20/2011 **AFFIDAVIT**  
*Affidavit of Non-Admitted Attorney (Ikard)*

05/25/2011 **EXHIBIT RECEIPT**  
*RECEIPT FOR EXHIBITS*

06/13/2011 **MTN: MOTION**  
*Attorney Fees SEC*

06/16/2011 **STATUS HEARING/ CONFERENCE** (1:30 PM) (Judicial Officer Mitchell, Albert J., Jr.)  
*Insurance Issues and a Status Hearing. At the Valencia County District Court*

06/24/2011 **ORD: ORDER**  
*ORDER ON HEARING ON PARTIAL MERITS*

06/29/2011 **MTN: MOTION**  
*Motion for Attorney's Fees & Costs (F&T)*

07/01/2011 **RESPONSE**  
*PLAINTIFF'S RESPONSE TO MOTION FOR ATTORNEY'S FEES*

07/06/2011 **REPLY**  
*SEC Reply to Response re: Atty Fees*

07/14/2011 **RESPONSE**

07/29/2011 *Plaintiff's RESPONSE Motion for Attorney's fees*  
**REPLY**  
*Reply to Response to Motion for Attorney's Fees*

10/25/2011 **NTC: OF HEARING**  
*Hearing set for 12/02/11 at the District Court in Tucumcari, NM at 9:00 a.m. before Judge Albert J. Mitchell*

11/08/2011 **ORD: ORDER**  
*Order Awarding Attorney's Fees*

11/21/2011 **MTN: TO RECONSIDER/ REVIEW**  
*Plaintiff's Motion to Reconsider Order Awarding Attorney's Fees*

11/28/2011 **RESPONSE**  
*to Motion to Reconsider*

12/02/2011 **STATUS HEARING/ CONFERENCE** (9:00 AM) (Judicial Officer Mitchell, Albert J., Jr.)  
*Telephonic Status Hearing at the Distirct Court in Tucumacari, NM beginning at 9:00am. Mr. Deschamps office will initiate conference call to Judge Mitchell*

12/06/2011 **ORD: ORDER GRANTING**  
*Counsel Leave to Withdraw*

12/08/2011 **NTC: OF HEARING**  
*Status Hearing*

12/08/2011 **NTC: OF HEARING**  
*Status/ All Pending Motions*

12/08/2011 **NTC: OF HEARING**  
*Status Hearing/All Pending Motions*

12/09/2011 **RESPONSE**  
*RESPONSE TO MOTION TO RECONSIDER ORDER AWARDING ATTORNEY'S FEES*

12/16/2011 **REPLY**  
*Plaintiff's Reply to Defendants' Response to Motion to Reconsider Order Awarding Attorney's Fees*

12/16/2011 **REPLY**  
*Plaintiff's Reply to Defendants' Response to Motion to Reconsider Order Awarding Attorney's Fees*

01/25/2012 **MTN: TO DISMISS**  
*Motion to Dismiss-RECA immunity*

01/25/2012 **MTN: TO DISMISS**  
*Socorro-Motion to Dismiss Joinder*

01/25/2012 **MTN: TO DISMISS**  
*Socorro Electric-Motion to dismiss-Standing*

01/25/2012 **MTN: TO DISMISS**  
*Socorro-Mtn to dismiss-Rule 9 Fraud*

01/25/2012 **MTN: FOR SUMMARY JUDGMENT**  
*Socorro Electric-Motion for PSJ-Voting Rights*

02/01/2012 **MTN: MOTION**  
*Soc Elec-Motion for Protective Order*

02/01/2012 **MTN: MOTION**  
*Soc Elec Motion to Stay Discovery*

02/08/2012 **MTN: MOTION**  
*Defendants Motion to Abate Response to Plaintiffs January 25, 2012 Dispositive Motions*

02/08/2012 **MOTION/ PETITION TO EXTEND TIME**  
*Defendants Motion to Extend time to file responses to Plaintiffs January 25, 2012, Motions*

02/08/2012 **NTC: NOTICE**  
*Socorro Elec-Notice of Opposition*

02/09/2012 **REQUEST FOR HEARING/ SETTING**  
*Socorro Elect-Request for motions hearing*

02/09/2012 **MTN: MOTION**  
*Defendants Amended Motion to Abate Response to Plaintiffs January 25, 2012 Dispositive Motions*

02/13/2012 **NTC: OF HEARING**



*Motions Hearing*  
02/16/2012 [RESPONSE](#)  
*Response to Motion for Protective Order*

02/16/2012 [MTN: MOTION](#)  
*Motion for Extension of Time*

02/21/2012 [MTN: TO WITHDRAW](#)  
*Motion to Withdraw*

02/23/2012 [ORD: ORDER](#)  
*Order Granting Extension of Time for Response to Plaintiff's Motion to Stay Discovery*

02/23/2012 [RESPONSE](#)  
*Response to Motion to Dismiss CLaims*

02/23/2012 [RESPONSE](#)  
*Response to Motion to Dismiss for Lack of Standing*

02/23/2012 [MTN: FOR LEAVE](#)  
*Motion for Leave to File Amended Cross Claim*

02/23/2012 [RESPONSE](#)  
*Response to Motion Lack Subject Matter*

02/23/2012 [RESPONSE](#)  
*Response to Motion for Partial Summary Judgment*

02/23/2012 [RESPONSE](#)  
*response to Motion Failure to Join*

02/24/2012 [MTN: MOTION](#)  
*Motion to Withdraw Amended Motion to Abate*

03/12/2012 [MTN: MOTION](#)  
*Motion For Leave to File Amended Cross-Claim*

03/12/2012 [CROSSCLAIM](#)  
*Amended Cross-Claim*

03/19/2012 [ORD: VACATING HEARING](#)  
*vacating March 21, 2012*

03/21/2012 **STATUS HEARING/ CONFERENCE** (3:00 PM) (Judicial Officer Mitchell, Albert J., Jr.)

03/30/2012 [RESPONSE](#)  
*Soc Elec-Cross Claim Def's Resp to mtn to amend cross claim*

04/20/2012 [NTC: COMPLETION OF BRIEFING](#)  
*Notice of Completion of Briefing (Amd-Mot-Lave-File-Amd-CC)*

04/26/2012 [NTC: COMPLETION OF BRIEFING](#)  
*Amended Notice of Completion of Briefing*

05/07/2012 [REPLY](#)  
*Defendants' Reply to Plaintiff's/Cross-Claim Defendant's Response to Amended Motion for Leave to File [sic] Amended Cross-Claim*

05/07/2012 [NTC: COMPLETION OF BRIEFING](#)  
*Second Amended Notice of Completion of Briefing*

06/04/2012 [NTC: OF NON-AVAILABILITY](#)  
*Notice of Unavaibility*

06/21/2012 **STATUS HEARING/ CONFERENCE** (9:00 AM) (Judicial Officer Mitchell, Albert J., Jr.)  
[Parties Present](#)

Result: Held

06/25/2012 [ORD: WITHDRAWAL/ SUBSTITUTION OF COUNSEL](#)  
*ORDER GRANTING COUNSEL LEAVE TO WITHDRAW (Thomas Fitch is granted leave to withdraw)*

06/25/2012 [ORD: VACATING HEARING](#)  
*ORDER TO VACATE HEARING (status hearing set for Sept. 28, 2012 is vacated)*

06/25/2012 [NTC: OF HEARING](#)  
*(All pending motions set for Nov. 30, 2012 at 9:00 am with Judge Mitchell at Valencia County*

District Court)

07/12/2012 [CERTIFICATE OF SERVICE](#)

07/12/2012 [NTC: OF HEARING](#)  
(Telephonic status conference set for 7/17/12 at 11:30 am)

07/19/2012 [ORD: ORDER](#)  
Order on Parties' Request to Hold Meeting in Executive Session

07/20/2012 [AMENDED ORDER](#)  
on Parties' Request to Hold Meeting in Executive Session

08/01/2012 [NTC: OF NON-AVAILABILITY](#)  
Notice of Unavailability of Counsel (Stephen K. Kortemeier Esq)

08/30/2012 [NTC: NOTICE](#)  
Notice of Substitution of Counsel

08/30/2012 [MTN: MOTION](#)  
Agreed Motion to Stay Proceedings

09/20/2012 [ORD: ORDER](#)  
AGREED ORDER TO STAY PROCEEDINGS

10/13/2012 [MEMORANDUM BRIEF](#)  
Memorandum Brief Addressing (SIC) Matters of Court Authority to Review Actions of Corporate Board of Trustees

11/05/2012 [RESPONSE](#)  
Plaintiffs' Response to the Court's August 14, 2012 Letter Regarding an Appropriate Remedy

11/05/2012 [NTC: NOTICE](#)  
Notice of Additional Citations

11/20/2012 [NTC: OF HEARING](#)  
(Telephonic Status hearing set for 12/18/12 at 1pm)

11/26/2012 [RESPONSE](#)  
Response: Addressing (SIC) Matters Raised in Plaintiffs's Letter to the Court

11/30/2012 **STATUS HEARING/ CONFERENCE** (9:00 AM) (Judicial Officer Mitchell, Albert J., Jr.)  
Reset from Sept 28, 2012  
09/28/2012 Reset by Court to 11/30/2012

01/04/2013 [NTC: OF HEARING](#)  
NOTICE OF TELEPHONIC STATUS HEARING

03/14/2013 [NTC: STATUS HEARING](#)  
NOTICE OF TELEPHONIC STATUS HEARING (March 27, 2013 at 2:00 p.m.)

03/27/2013 **STATUS HEARING/ CONFERENCE** (2:00 PM) (Judicial Officer Mitchell, Albert J., Jr.)  
[Parties Present](#)  
Result: Held

03/28/2013 [NTC: STATUS HEARING](#)  
NOTICE OF TELEPHONIC STATUS HEARING (May 16, 2013 at 2:30 p.m.)

04/17/2013 [MTN: ORDER TO SHOW CAUSE](#)  
Emergency Motion for Order to Show Cause

04/17/2013 [REQUEST FOR HEARING/ SETTING](#)  
Request for Emergency Hearing

04/22/2013 [RESPONSE](#)  
Response to Emergency Motion for Order to Show Cause

05/16/2013 **STATUS HEARING/ CONFERENCE** (2:30 PM) (Judicial Officer Mitchell, Albert J., Jr.)  
Telephonic Status Hearing Mr. Foster's Office will Initiate the conference call to Judge Mitchell.

09/11/2013 [ORD: ORDER](#)  
Order Denying Amended Motion for Leave to File First Amended Cross-Claim

09/11/2013 [NCJ: DISPOSITION ORDER](#)  
Order Granting Dispositive Motions