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STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT  
COUNTY OF VALENCIA

CAROL AUFFREY  
AND HERBERT MYERS, individually,  
and as representatives of the class of those member/owners  
of the Socorro Electric Cooperative, Inc.  
who are similarly situated.

Plaintiffs,

v.

SOCORRO ELECTRIC COOPERATIVE, INC.

Case No: D-1314-CV-2010-849

Judge: Mitchell

Defendant.

AGREED MOTION TO STAY PROCEEDINGS

TO THE HONORABLE JUDGE ALBERT J. MITCHELL, JR.:

1. Carol Auffrey and Herbert Myers, individually, and as representatives of the class of those member/owners of the Socorro Electric Cooperative, Inc. who are similarly situated, (hereinafter referred to as "Plaintiffs") and Socorro Electric Cooperative, Inc. (hereinafter referred to as "SEC") file this Agreed Motion to Stay Proceedings.
2. In accordance with the Rural Electric Cooperative Act (hereinafter referred to as "RECA") §62-15-9(H) the parties met on July 31, 2012, in Socorro, New Mexico during an announced meeting of the SEC board. Section H states "No action shall be brought against a trustee as such or against the cooperative . . . unless . . . the complaint is verified and alleged with particularity the efforts, if any, made by the plaintiff to obtain the action the plaintiff desires . . ." RECA §62-15-9(H) goes on to state, ". . . and the reasons for the plaintiff's failure to obtain the action or for not making the effort."

3. During that meeting, the Plaintiffs made Defendant aware of their complaints and provided ways to cure the actions giving rise to these complaints. In response, Defendant requested a 60-day stay of the proceedings in this case so that a good faith effort can be made by Defendant to evaluate the feasibility of Plaintiffs' suggestions to cure.

4. Plaintiffs agreed to a 60-day stay of these proceedings so that Defendant may adequately evaluate the options to cure.

5. Plaintiffs and Defendant request that the court grant this Agreed Motion to Stay Proceedings and allow this case to proceed in accordance with Judge Mitchell's August 14, 2012, letter to the parties.

Respectfully submitted,

**IKARD WYNNE LLP**



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**ATTORNEYS FOR PLAINTIFFS, CAROL  
AUFFREY AND HERBERT MYERS**

**FOSTER & MOSS, P.C.**

A handwritten signature in cursive script, appearing to read "Darin Foster", is written above a horizontal line.

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**ATTORNEYS FOR DEFENDANTS, SEC**