

1. Am I personally being sued?

Yes. The suit filing reads:

THE SOCORRO ELECTRIC COOPERATIVE, INC, PLAINTIFF

vs.

CHARLENE WEST, individually, and as a member of the Socorro Electric Cooperative, **all UNNAMED MEMBER/OWNERS of the Socorro Electric Cooperative, Inc. individually,** and as members of the Socorro Electric Cooperative, the MOUNTAIN MAIL Newspaper, individually, and as a member of the Socorro Electric Cooperative and the EL DEFENSOR CHIEFTAIN Newspaper, individually and as a member of the Socorro Electric Cooperative, DEFENDANTS

All member/owners are "Defendants" and are being sued "individually, and as a member of the Socorro Elec. Co-op.

2. Why is the SEC suing me and other members?

The Board of Trustees wishes to get a Declaratory Judgment and Injunctive Relief setting aside three bylaw amendments passed overwhelmingly at the 2010 Annual Members Meeting. In other words, the Board does NOT want to abide by three of the by-law amendments member/owners passed in the election last April.

These are:

A. ONE REGULAR MEETING OF THE BOARD OF TRUSTEES SHALL BE HELD MONTHLY AT THE TIME AND PLACE AS THE BOARD SHALL SCHEDULE BY RESOLUTION. THE MEETING SHALL BE OPEN TO MEMBER-OWNERS AND REPRESENTATIVES OF THE PRESS WITH TIMELY NOTICE OF THE MEETING ADVERTISED IN MONTHLY BILL MAILINGS AND LOCAL NEWSPAPERS. A SECTION OF THE MEETING AGENDA SHALL BE RESERVED FOR MEMBER PARTICIPATION DURING WHICH MEMBER/OWNERS MAY ADDRESS THE BOARD WITHOUT PRIOR APPROVAL OF THE BOARD.

B. THE SEC BOARD OF TRUSTEES SHALL VOLUNTARILY AGREE TO ABIDE BY THE NEW MEXICO OPEN MEETINGS ACT AND THE INSPECTION OF PUBLIC RECORDS ACT.

C. THE SOCORRO ELECTRIC BOARD OF TRUSTEES AND MANAGEMENT SHALL GUARANTEE TRANSPARENCY OF ACTION WITH OPEN ACCESS TO SEC BOOKS, RECORDS, AND AUDITS FOR A PROPER, NONCOMMERCIAL PURPOSE WITH EXCEPTION OF THOSE RECORDS WHICH WOULD VIOLATE THE PRIVACY ACT.

It is obvious that these three amendments to the SEC Bylaws all provide openness and transparency to members and press to which the board is opposed.

3. What if everyone ignores this suit?

The Board will receive a "Default Judgment" granting their "Complaint." They win by default, and the three bylaw amendments you voted for will not be followed.

4. What will stop such a "Default Judgment"?

The filing of an "ANSWER" by one or more of the Defendants. Several such "ANSWERS" have already been filed.

5. What if I ignore the suit and do nothing?

Default means that you lose. The Board can continue to hold secret meetings and to withhold information that you as an SEC owner are entitled to request and receive. You will not be able to attend SEC Board of Trustee meetings.

6. What if I decide to defend myself and hire my own attorney?

You can hire an attorney who will file an "ANSWER" and handle your individual case for a fee.

7. Can I join with the people who have already retained an attorney who has filed on their behalf?

Yes, that is the point of the MODEL ATTORNEY CLIENT RELATIONSHIP REQUEST form (The Defendant-Authorization-Form.pdf) which you can download from this website. If a large number of member owners join together it presents solidarity of intent which follows that expressed in the votes at the 2010 Annual Membership Meeting. One member-owner who filed individually has joined his filing to the larger group filing.

8. What if I don't fill out and send in the form?

You are still a "DEFENDANT" in the lawsuit.

9. What if I do fill out and send in the form?

You are still a "DEFENDANT" but you are being represented by a law firm that will answer for you and other member-owners to counter the claims made against you. All member-owners have the right to make and change the bylaws that govern the behavior of their elected representatives, trustees.

By signing the Model request for Representation, you are retaining lawyers to enforce your common ownership rights and to attempt recovery of co-op funds wasted by the reckless and unauthorized expenses incurred by the Board and Management in the past. You are also asking the Court to protect cooperatively owned assets from the self-serving misconduct of past, present, and future Trustees.

10. If I complete and mail in the form, will I have to pay the attorney?

You will not be billed for attorney fees. Your name will be added to others who complete the form and show the court a united front in this legal battle. Attorney fees are

paid for by donations from member/owners, and you are encouraged to donate what you can.

A special trust account has been setup on behalf of member/owners for their legal defense. This specialized account preserves the identity of those who do not want their names out in the open.

Please make the check or money order out to:

"Client Trust Account"

With a notation on the check of
"SEC Member's Legal Defense Fund".

Mail to:
SEC Members' Legal
Defense Fund
c/o Deschamps & Kortemeier
104 Church St.
Socorro, NM 87801