

February 27, 2011 - Court hearing comments

Friday's court session was solely concerned with the original suit filed by the SEC and Board of Trustees against the members in an attempt to throw out the three bylaws relating to transparency, i.e. Open Meetings Act, Inspection of Public Records Act, and attendance of members and press to attend board meetings and address the board. After the May 18th hearing on the merits of this original suit, Judge Mitchell will move on the counter claim and the request for class action status.

The judge ruled that the original lawsuit is binding on all members not just those named in the pleading. He also ruled that proper notice of the original lawsuit had not been given and ordered that notice of the May 18th court session must be mailed to all members by way of inclusion in SEC members' billings. Judge Mitchell instructed the five lawyers in attendance to draft the wording of the notice (over the objection of Atty. Kennedy who wished to delay both composition and sending of a notice). After the recess, the wording of the notice was arrived at and includes the three contested bylaws and the statement that members can seek legal counsel. Mr. Kennedy objected to these inclusions.

The issue of insurance was opened by the Tausch & Fitch Law Firm. Copies of the policies have not been made available to lawyers for the defendants (members). There is some question as to whether or not the policies which are supposed to apply in defense of the co-op will apply in the case of the co-op bringing the action. Mr. Kennedy's opinion is in dispute (see "Chieftain" article) and Judge Mitchell ordered him to send the policies to the other lawyers.

Prescilla Mauldin and Charlie Wagner were the only SEC Trustees in attendance.

(Note: Attorney Kennedy is assisting the co-op attorney Dennis Franchis on the various lawsuits.)

February 25, 2011 -

Below is Charlene West's take on the District 2 Recall of Paul Bustamante and the ballot that he wants. How can the person up for removal be allowed to decide the wording of the ballot. It is not too late to change the wording of the ballot to the more proper wording of "Removal. YES or No" as called for in the petition. Polite protests to the General Manager might be in order.

2/24/11 - Letter to The Cynic -

OK Folks they have begun this is the way they play last nights meeting they informed us that the ballots will have two questions:

1. RETAIN PAUL BUSTAMANTE
2. REMOVE PAUL BUSTAMANTE

Paul has lined up his people the thing is most can't read English but do know their numbers so this is how he can make sure to get the right outcome. So again please call your friends in the Lemitar

Polvadera area and tell them that the time is also changed to 4:30 cut off for registration is now 5:30 so that is another way Paul is trying to get an edge . We have a big job folks

Charlene West

We are getting questions about how to contact the new General Manager to protest the ballot for the Dist 2 Recall and the addition of the 4:30 p.m.-5:30 p.m. registration period both of which limit voting rights and attack the integrity of the entire Recall Hearing. These actions have an effect on the entire co-op not just District 2 as recall petitions are working throughout other districts and such tactics if allowed to go forward will be used in those districts.

You can voice your opinion and protest in an email to jherrera@socorroelectric.com or by phone to the General Manager at the co-op 835-0560.