

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO, ex rel.,
MARCO WHITE, MARK MITCHELL,
and LESLIE LAKIND,

Plaintiffs,

vs.

Case No. D-101-CV-2022-00473

COUY GRIFFIN,

Defendant.

PROPOSED PRETRIAL ORDER

This matter is before the Court as a result of a pretrial conference held on July 22, 2022. This Order supplements the deadlines and details set forth in the Scheduling Order entered by the Court on June 14, 2022. The Court hereby ORDERS:

The trial in this matter shall be held in-person at the First Judicial District Court and is set to begin on August 15, 2022 at 9:00am.

The parties are to contact the Court's Information Technology department to make adequate preparations for their trial presentations.

The page limit for the parties' pretrial briefs is extended to twenty (20) pages.

The Court will only consider trial exhibits that are admitted and used with a witness.

Each party shall prepare at least three binders containing copies of their exhibits (excluding video and audio exhibits) for use by the Court, the witness, and the opposing party. Video and audio exhibits shall be provided to the Court and the opposing party electronically on a storage medium other than a flash drive.

The parties shall exchange exhibits no later than August 5, 2022, subject to any reasonable supplementation.

The parties shall file and serve any objections to the opposing party's exhibits no later than August 8, 2022. Any objections shall be limited to a simple citation to the appropriate rule(s) of evidence and a short explanation of no more than one paragraph per objection. Any exhibit to which there is no objection shall be deemed admitted.

Any supplementation of witness or exhibit lists shall occur no later than August 10, 2022, and any corresponding objection shall be filed within three calendar days thereof.

Any witness not included on a witness list shall not be permitted to testify at the trial. An exhibit offered that is not on the exhibit list, as supplemented, will not be admitted.

The parties shall submit a copy of their exhibit binder and an electronic copy of their video and audio exhibits to the Court and the opposing party no later than August 10, 2022.

Amici may file briefs in support of Plaintiffs, Defendant, or no party, by August 29, 2022.

Any motion for sanctions as a result of discovery violations shall be filed by July 28, 2022, and any response to such a motion shall be filed by August 5, 2022.

While the parties and attorneys are required to appear in-person, witnesses may appear remotely via videoconference, and any party anticipating that such remote testimony may be necessary shall communicate with the Court's Information Technology department to make the appropriate arrangements.

Defendant did not appear for the pretrial conference on July 22, 2022. Notice of the July 22, 2022 pretrial conference was contained in the Court's June 14, 2022 scheduling order which was provided to Mr. Griffin by his counsel at the time, Diego Esquibel. Plaintiffs reminded Mr. Griffin of the hearing on July 21, 2022 and provided him with the login information.

Dated: _____

THE HONORABLE FRANCIS J. MATHEW

By: 

Notice mailed or delivered on date of filing to parties listed on attached sheet.

SUBMITTED BY:

/s/ Joseph Goldberg

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Counsel for Plaintiffs

CERTIFICATION UNDER LOCAL RULE 1-114

Pursuant to Local Rule 1-114(B)(3) NMRA, Counsel for Plaintiffs hereby certifies that a copy of the foregoing proposed order was sent to Defendant Couy Griffin at his email address couygriffin@hotmail.com on July 22, 2022 at 6:41pm. The email correspondence requested that Mr. Griffin respond with his position on the proposed order prior to 12:00pm on July 25, 2022. As of 3:30pm on July 25, 2022, Mr. Griffin had not responded to the correspondence and had not made any objections to the proposed order. Counsel for Plaintiffs further certifies that another email was sent to Mr. Griffin at 3:47pm on July 25, 2022, which explained that the order would be submitted with this certification and that any objections must be received by the court in writing within fourteen (14) days.

/s/ Joseph Goldberg

Joseph Goldberg

Counsel for Plaintiffs

PARTIES ENTITLED TO NOTICE:

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