

UNITED STATES DISTRICT COURT

DISTRICT OF NEW MEXICO

Clerk's Minutes

Before the Honorable James O. Browning

CASE NO. CIV 08-702 JB/RHS

DATE: 5/21/10

TITLE: American Association of People with Disabilities et al v. Mary Herrera

COURTROOM CLERK: J. Gonzales

COURT REPORTER: Danna Everett

COURT IN SESSION: 9:03 a.m.

COURT IN RECESS: 10:51 a.m.

TYPE OF PROCEEDING: Plaintiffs' Motion for Reconsideration of the Court's February 5, 2010 Order Granting in Part Defendant's Motion to Dismiss [95]-**TAKEN UNDER ADVISEMENT**

COURT'S RULINGS/DISPOSITION:

ORDER CONSISTENT WITH COURT'S RULING TO BE PREPARED BY: Court

ATTORNEYS PRESENT FOR PLAINTIFF(S): **ATTORNEYS PRESENT FOR DEFENDANT(S):**

Edward Ricco, Charles Borden, Michael Thakur

Scott Fuqua

PROCEEDINGS:

9:03 a.m. Court in session.

Counsel enter appearances.

Plaintiffs' Motion for Reconsideration of the Court's February 5, 2010 Order Granting in Part Defendant's Motion to Dismiss [95]

Mr. Borden: Argues in support of motion.

Mr. Borden responds to Court's inquiries.

9:49 a.m. Mr. Fuqua: Argues in opposition of motion.

Mr. Fuqua responds to Court's inquiries.

10:17 a.m. Mr. Borden: Argues in further support of motion.

Mr. Borden responds to Court's inquiries.

10:35 a.m. Mr. Fuqua: Argues in further opposition to motion.

Mr. Fuqua responds to Court's inquiries.

10:42 a.m. Mr. Borden: Argues in further support of motion.

10:44 a.m. Court: Will take under advisement. Queries Mr. Borden.

Mr. Borden responds.

Mr. Borden raises issue of Motion to Compel which is scheduled for today's hearing-motion is uncontested.

Court: If can agree on order-submit to Court, if cannot agree contact Ms. Wild and Court will enter order granting motion.

10:51 a.m. Court in recess.