

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

AMERICAN ASSOCIATION OF PEOPLE
WITH DISABILITIES, FEDERATION OF
AMERICAN WOMEN’S CLUBS
OVERSEAS, INC., NEW MEXICO PUBLIC
INTEREST RESEARCH GROUP
EDUCATION FUND, and SOUTHWEST
ORGANIZING PROJECT,

Plaintiffs,

v.

MARY HERRERA, in her capacity as
Secretary of State,

Defendant.

No. CIV 08-00702 JOB

**PLAINTIFFS’ MOTION FOR RECONSIDERATION OF THE
COURT’S FEBRUARY 5, 2010 ORDER GRANTING IN PART
DEFENDANT’S MOTION TO DISMISS**

For the reasons set forth in the supporting Memorandum of Points and Authorities and exhibits filed concurrently herewith, Plaintiffs move this Court to reconsider its February 5, 2010 Order (“Order”) (Doc. No. 91) dismissing Count II of Plaintiffs’ Amended Complaint that New Mexico’s third-party voter registration law, N.M. Stat. Ann. 1978, § 1-4-49, is unconstitutionally vague. This motion is brought pursuant to the Court’s invitation to move for reconsideration should facts uncovered in discovery “cast[] the Court’s legal decision on the facial challenge into doubt,” (Order at 55 n.9.), and pursuant to Rule 59(e) of the Federal Rules of Civil Procedure.

Respectfully Submitted,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

s/ Edward Ricco

By _____
Edward Ricco
P.O. Box 1888
Albuquerque, NM 87103
Telephone: (505) 765-5900
ericco@rodey.com

Edward D. Hassi
O'Melveny & Myers LLP
Times Square Tower
7 Times Square
New York, NY 10036
Telephone: (212) 326-2000
thassi@omm.com

Charles E. Borden
Guy G. Brenner
O'Melveny & Myers LLP
1625 Eye Street N.W.
Washington, DC 20006-4001
Telephone: (202) 383-5300
cborden@omm.com
gbrenner@omm.com

Attorneys for Plaintiffs

I certify that on March 5, 2010, I filed the foregoing electronically through the CM/ECF system, which caused parties or counsel in this matter to be served by electronic means as more fully reflected on the Notice of Electronic Filing.

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

s/ Edward Ricco
By _____
Edward Ricco