

**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,

Defendants.

No. CV 08-702 JOB

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**JOINT MOTION TO AMEND SCHEDULING ORDER**

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The parties in the above-captioned action respectfully move this Court to amend the scheduling order in this matter as set forth below. Defendant has been unable to provide all responsive documents in the allotted time and therefore more time is needed to adequately complete discovery.<sup>1</sup> Accordingly, the parties hereby jointly move the Court for the following adjustments to the amended scheduling order dated March 9, 2010 (D.E. # 97):

- 1) The termination date for discovery be amended to **May 20, 2010** from March 15, 2010;
- 2) Motions relating to discovery become due to be filed with the Court and served on

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<sup>1</sup> Plaintiffs also filed a motion to compel production of documents on April 5, 2010, but Plaintiffs will withdraw that motion if the parties' joint motion to amend the scheduling order is granted.

- opposing parties by **June 10, 2010** from April 5, 2010;
- 3) Pretrial motions, other than discovery motions, become due to be filed with the Court and served on opposing parties by **June 24, 2010** from April 19, 2010;
    - a. Responses to pretrial motions, other than discovery motions, become due to be filed with the Court and served on opposing parties by **July 15, 2010** from May 11, 2010;
    - b. Replies to responses to pretrial motions, other than discovery motions, become due to be filed with the Court and served on opposing parties by **July 29, 2010** from May 28, 2010;
  - 4) A motion hearing be scheduled in this matter on or after **August 10, 2010** from June 10, 2010, as the Court's schedule permits;
  - 5) Plaintiffs will now file a consolidated final Pretrial Order to Defendant on or before **September 14, 2010** from July 20, 2010; Defendant will now file a consolidated final Pretrial Order to the Court on or before **September 24, 2010** from July 30, 2010;
  - 6) This matter shall now be set for a Pretrial Conference on or after **September 27, 2010** from August 2, 2010, as the Court's schedule permits;
  - 7) This matter shall now be set for a Jury Selection/Trial on a trailing calendar beginning on or after **October 11, 2010** (Albuquerque/Vermejo Courtroom) from August 16, 2010 trailing docket, as the Court's schedule permits.

Dated: April 9, 2010

Respectfully submitted,

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

/s/ Edward Ricco

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*Attorney for Defendant Mary Herrera*

I certify that on April 9, 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