

STATE OF NEW MEXICO
COUNTY OF LEA
FIFTH JUDICIAL DISTRICT

REPUBLICAN PARTY OF NEW MEXICO,
DAVID GALLEGOS, TIMOTHY
JENNINGS, DINAH VARGAS, MANUEL
GONZALES, JR., BOBBY AND DEANN
KIMBRO, and PEARL GARCIA,

Plaintiffs,

v.

Cause No. D-506-CV-2022-00041

MAGGIE TOULOUSE OLIVER as New
Mexico Secretary of State, MICHELLE
LUJAN GRISHAM as Governor of New
Mexico, HOWIE MORALES as New Mexico
Lieutenant Governor and President of the
New Mexico Senate, MIMI STEWART as
President Pro Tempore of the New Mexico
Senate, and JAVIER MARTINEZ as Speaker
of the House of Representatives,

Defendants.

**AMENDED NOTICE OF NON-APPEARANCE REGARDING PLAINTIFFS'
SUBPOENA TO TAKE RULE 1-030(B)(6) DEPOSITION OF RESEARCH & POLLING,
INC.**

COME NOW the Legislative Defendants by and through undersigned counsel, and hereby gives notice that RPI will not produce a representative or otherwise appear for the deposition subpoenaed by Plaintiffs, as amended, for the deposition scheduled August 25, 2023 at 8:00 a.m. MDT, in the offices of Harrison & Hart, LLC, 924 Park Avenue SW, Suite E, Albuquerque, NM 87102. This Notice of Non-Appearance is served pursuant to Rule 1-030(G)(3) NMRA so that no counsel will incur any unnecessary costs or attorneys' fees in connection with the deposition. A *Motion to Quash Subpoenas Served on Legislative Staff and Consultants* was previously filed August 14, 2023 on behalf of RPI and is incorporated herein by reference.

Respectfully submitted:

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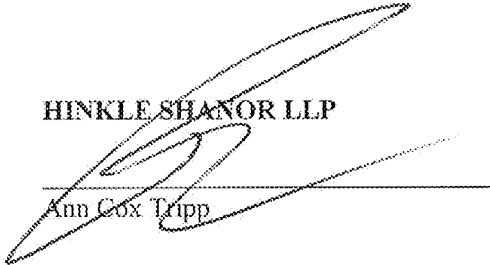
Attorneys for Legislative Defendants

CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2023, I caused the foregoing *Notice of Non-Appearance*, along with this Certificate of Service, to be served and filed electronically through the Tyler Technologies Odyssey File & Serve electronic filing system, which caused all parties or counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing, and a true and correct copy of the same to be emailed to the following:

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