

FILED
5th JUDICIAL DISTRICT COURT
Lea County
9/6/2023 11:50 AM
NELDA CUELLAR
CLERK OF THE COURT
Cory Hagedoorn

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 DEE ANN KIMBRO, AND
PEARL GARCIA,

Plaintiffs,

v.

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

MAGGIE TOULOUSE OLIVER, in her official
Capacity as New Mexico Secretary of State, et al.,

Defendants.

NON-PARTY DOMINIC P. GABELLO'S
NOTICE OF NON-APPEARANCE REGARDING
PLAINTIFFS' SUBPOENA TO TAKE DEPOSITION

COMES NOW non-party Dominic P. Gabello, by and through counsel, Park & Associates, LLC (Alfred A. Park), and hereby gives Notice that he will not appear at the deposition subpoenaed and noticed by Plaintiffs, for September 12, 2023, at 8:00 a.m., in the offices of Harrison & Hart, LLC, 924 Park Ave., 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. Mr. Gabello is concurrently filing a Motion to Quash Subpoena and for Protective Order.

Respectfully Submitted,

PARK & ASSOCIATES, LLC

 /s/ Alfred A. Park
Alfred A. Park
Attorney for Non-Party Dominic P. Gabello
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(505) 246-2805

I hereby certify that a true and correct copy of the foregoing was served via the Court's Odyssey filing system to all counsel of record on this 6th day of September 2023.

 /s/ Alfred A. Park
Alfred A. Park