

FILED
5th JUDICIAL DISTRICT COURT
Lea County
9/8/2023 12:38 PM
NELDA CUELLAR
CLERK OF THE COURT
Jazmin Yanez

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,

vs.

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

MAGGIE TOLOUSE OLIVER, in her official capacity as
New Mexico Secretary of State, MICHELLE LUJAN
GRISHAM, in her official capacity as Governor of New
Mexico, HOWIE MORALES, in his official capacity as
New Mexico Lieutenant Governor and President of the
New Mexico Senate, MIMI STEWART, in her official
Capacity as President Pro Tempore of the New Mexico
Senate, and JAVIER MARTINEZ, in his official capacity as
Speaker of the New Mexico House of Representatives,

Defendants.

**NON-PARTY KYRA ELLIS-MOORE'S NOTICE OF NON-APPEARANCE
REGARDING PLAINTIFFS' SUBPOENA TO TAKE DEPOSITION**

COMES NOW non-party Kyra Ellis-Moore, by and through counsel, THE WARD LAW
FIRM (Vincent J. Ward), and hereby gives notice that she will not appear at the deposition
subpoenaed and noticed by Plaintiffs on August 29, 2023 for September 13, 2023 at 8:00 am at
the law firm of Harrison & Hart, LLC in Albuquerque, New Mexico. This Notice of Non-
Appearance is served in accordance with the assertions in Ms. Ellis-Moore's Motion to Quash
Subpoena, filed August 15, 2023, and pursuant to Rule 1-030(G)(3) NMRA so that counsel will
not incur any unnecessary costs or attorneys' fees in connection with the deposition. Ms. Ellis-
Moore will also file a separate motion to quash Plaintiffs' deposition subpoena.

Respectfully submitted,

THE WARD LAW FIRM

/s/ Vincent J. Ward

Vincent J. Ward

P.O. Box 7940

Albuquerque, NM 87194

T: (505) 944-9454

vincent@wardlawnm.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 8, 2023, I filed the foregoing electronically, which caused all parties or counsel of record to be served by electronic means.

/s/ Vincent J. Ward