

STATE OF NEW MEXICO

JV

COUNTY OF SANTA FE

FIRST JUDICIAL DISTRICT COURT

No. D-101-CV-2011-02942

BRIAN F. EGOLF, JR., HAKIM BELLAMY, MEL HOLGUIN,
MAURILIO CASTRO and ROXANE SPRUCE BLY,

Plaintiffs,

vs.

DIANNA J. DURAN, in her official capacity as New Mexico
Secretary of State, SUSANA MARTINEZ, in her official capacity
as New Mexico Governor, JOHN A. SANCHEZ, in his official
capacity as New Mexico Lieutenant Governor and presiding
officer of the New Mexico Senate, TIMOTHY Z. JENNINGS, in
his official capacity as President Pro-Tempore of the New Mexico
Senate, and BEN LUJAN SR., in his official capacity as Speaker
of the New Mexico House of Representatives,

Defendants.

- Consolidated with -

CAUSE NO. D-101-CV-2011-02944
CAUSE NO. D-101-CV-2011-02945
CAUSE NO. D-101-CV-2011-03016
CAUSE NO. D-101-CV-2011-03099
CAUSE NO. D-101-CV-2011-03107
CAUSE NO. D-202-CV-2011-09600
CAUSE NO. D-506-CV-2011-00913

JUDGMENT AND FINAL ORDER
(Congressional Trial)

THIS MATTER having come before the Court for an evidentiary hearing regarding the creation of districts within the State of New Mexico for the House of Representatives of the United States of America ("Congress"), and the Court having heard the testimony of witnesses,

argument of counsel, having reviewed the evidence, the pleadings, and the briefing submitted by the parties, having entered Findings of Fact and Conclusions of Law on December 29, 2011, and being otherwise fully advised in the premises, FINDS that:

1. The current Congressional districts, adopted in *Jepsen v. Vigil-Giron*, D-0101-CV-2001-02177 (N.M. 1st Jud. Dist. January 8, 2002), are malapportioned and are therefore unconstitutional; and

2. The amended Joint Plan (Egolf Exhibit 13, attached to this Court's Findings of Fact and Conclusions of Law entered on December 29, 2011), submitted jointly by the State Executive Defendants, the *Egolf* Plaintiffs, the *James* Plaintiffs and the *Sena* Plaintiffs, shall be immediately adopted as the districts within the State of New Mexico for the House of Representatives of the United States of America.

3. Precinct designations and boundaries used in this order are those precinct designations and boundaries established in accordance with law and approved by the Secretary of State as of August 31, 2011 for use in the 2011 redistricting process.

IT IS ORDERED AND ADJUDGED:

That the three United States House districts within the state of New Mexico are revised as set forth below, the boundaries of which are defined using the following county, precinct and Census tabulation block designations:

Congressional District One is composed of Bernalillo county precincts 2 through 79, 81 through 83, 86 through 92, 94 through 99, 101 through 114, 116, 119 through 125, 131 through 144, 150 through 154, 161 through 166, 170, 171, 180 through 187, 191 through 197, 211, 212, 214 through 217, 221, 223 through 226, 241 through 246, 251 through 258, 271 through 275, 278, 281 through 287, 289 through 308, 311 through 318, 321 through 324, 326 through 333,

341 through 347, 351 through 358, 371 through 375, 381 through 387, 400 through 456, 461 through 466, 471 through 478, 480 through 500, 502 through 573 and 601 through 603; Sandoval county precincts 1 through 5, 28, 29, 38, 52, 55 through 57, 64, 74 and 76; Santa Fe county precincts 15, 73 and 84; Torrance county; and Valencia county precincts 6, 16, 22, 28 and Census tabulation block 3506119703031019 in Valencia county precinct 36.

Congressional District Two is composed of Bernalillo county precinct 93; Catron county; Chaves county; Cibola county; De Baca county; Dona Ana county; Eddy county; Grant county; Guadalupe county; Hidalgo county; Lea county; Lincoln county; Luna county; McKinley county precincts 26, 27, 29 and 30; Otero county; Roosevelt county precincts 3 through 6, 10, 11, 19 and all of Roosevelt county precinct 2 except for Census tabulation block 350410002001111; Sierra county; Socorro county; and Valencia county precincts 1 through 5, 7 through 15, 17 through 21, 23 through 27, 29 through 35, 37 through 41 and all of Valencia county precinct 36 except for Census tabulation block 350611973031019.

Congressional District Three is composed of Bernalillo county precincts 1, 80, 84, 85, 115, 117, 118 and 127 through 129; Colfax county; Curry County; Harding county; Los Alamos county; McKinley county precincts 1 through 25, 28, 31 through 50 and 52 through 59; Mora county; Quay county; Rio Arriba county; Roosevelt county precincts 1, 7 through 9, 12, 13, 15, 17, 18, 21 and Census tabulation block 350410002001111 in Roosevelt county precinct 2; San Juan county; San Miguel county; Sandoval county precincts 6 through 27, 30 through 37, 39 through 51, 53, 54, 58 through 63, 65 through 73, 75 and 78 through 86; Santa Fe county precincts 1 through 14, 16 through 72, 74 through 83 and 85 through 88; Taos county; and Union county.



THE HONORABLE JAMES A. HALL
DISTRICT JUDGE PRO TEMPORE

Copies to counsel of record via e-filing system.

SUBMITTED BY:

PEIFER, HANSON & MULLINS, P.A.

By: /s/ Matthew R. Hoyt

Charles R. Peifer
Robert E. Hanson
Matthew R. Hoyt

Post Office Box 25245
Albuquerque, New Mexico 87125-5245
Telephone: (505) 247-4800
Facsimile: (505) 243-6458

Attorneys for Defendant John A. Sanchez, in his official capacity as New Mexico Lieutenant Governor and presiding officer of the New Mexico Senate

-and-

Jessica M. Hernandez
Matthew J. Stackpole
Office of the Governor
490 Old Santa Fe Trail #400
Santa Fe, NM 87401-2704
(505) 476-2200

Paul J. Kennedy
201 12th Street NW
Albuquerque NM 87102-1815
(505) 842-8662

Attorneys for Defendant Susana Martinez, in her official capacity as New Mexico Governor

APPROVED BY:

Approved verbally 1/9/12

Robert M. Doughty, III
Judd C. West
Doughty & West, P.A.
20 First Plaza NW, Suite 412
Albuquerque, NM 87102
(505) 242-7070
rob@doughtywest.com
susan@doughtywest.com
yolanda@doughtywest.com

Attorneys for Defendant Dianna J. Duran, in her official capacity as New Mexico Secretary of State

Approved via electronic mail 1/9/12

Patrick J. Rogers
Modrall, Sperling, Roehl, Harris & Sisk P A
P.O. Box 2168
Albuquerque, NM 87103
(505) 848-1849
pjr@modrall.com

Duncan Scott
Paul Kienzle
Paul Spear
Scott & Kienzle, P.A.
1011 Las Lomas NE
Albuquerque, NM 87103
(505) 246-8600
duncan@DScottlaw.com
paul@kienzlelaw.com
spear@kienzlelaw.com

Attorneys for Plaintiffs in Sena v. Duran, D-506-CV-2011-00913

Approved via electronic mail 1/5/12

Henry M. Bohnhoff
Rodey, Dickason, Sloan, Akin & Robb, P.A.
PO Box 1888
Albuquerque NM 87103
(505) 765-5900

hbohnhoff@rodey.com

Christopher T. Saucedo
Iris L. Marshall
Saucedo Chavez P.C.
100 Gold Ave. SW, Suite 206
Albuquerque NM 87102
(505) 338-3945
csaucedo@saucedochavez.com
imarshall@saucedochavez.com

David A. Garcia
David A. Garcia, LLC
1905 Wyoming Blvd. NE
Albuquerque NM 87112
(505) 275-3200
lowthorpe@msn.com
Attorneys for Plaintiffs in Representative Conrad James v. Duran, D-202-CV-2011-09600

APPROVED AS TO FORM BY:

Approved via electronic mail 1/9/12

Ray M. Vargas, II
David P. Garcia
Erin B. O'Connell
Garcia & Vargas, LLC
303 Paseo del Peralta
Santa Fe, NM 87501
(505) 982-1873
ray@garcia-vargas.com
david@garcia-vargas.com
erin@garcia-vargas.com

Joseph Goldberg
John W. Boyd
David H. Urias
Sara K. Berger
Freedman Boyd Hollander
Goldberg & Ives
20 First Plaza Ctr. NW, #700
Albuquerque, NM 87102
(505) 842-9960
jg@fbdlaw.com
jwb@fbdlaw.com

dhu@fbdlaw.com

skb@fbdlaw.com

Attorneys for Plaintiffs in Egolf v. Duran, D-101-CV-2011-02942; Holguin v. Duran, D-101-CV-2011-0944; and Castro v. Duran, D-101-CV -2011-02945

Approved via electronic mail 1/9/12

David K. Thomson

Thomason Law Firm

303 Paseo de Peralta

Santa Fe NM 87501-1860

(505) 982-1873

david@thomsonlawfirm.net

Attorney for Plaintiffs in Maestas v. Duran, D-101-CV-2011-03099 and Maestas v. Duran, D-101-CV -2011-03107

Stephen G. Durkovich

Law Office of Stephen Durkovich

534 Old Santa Fe Trail

Santa Fe, NM 87505-0372

(505) 986-1800

sonya@durkovichlaw.com

John V. Wertheim

Jerry Todd Wertheim

Jones, Snead, Wertheim & Wentworth, P.A.

PO Box 2228

Santa Fe, NM 87505-2228

(505) 982-0011

johnv@thejonesfirm.com

todd@thejonesfirm.com

Katherine Ferlic

The Law Office of Katherine Ferlic

128 Grant Ave, Suite 301

Santa Fe, NM 87501

(505) 982-0172

kate@ferliclaw.com

Attorneys for Plaintiffs in Maestas v. Duran, D-101-CV-2011-03107

Approved via electronic mail 1/9/12

Patricia G. Williams
Jenny J. Dumas
Wiggins, Williams & Wiggins, PC
PO Box 1308
Albuquerque NM 87103-1308
(505) 764-8400
pwilliams@wwwlaw.us
jdumas@wwwlaw.us

Dana L. Bobroff, Deputy Attorney General
Navajo National Department of Justice
PO Box 2010
Window Rock AZ 86515
(928) 871-6345
dbobroff@nndoj.org
Attorneys for Navajo Intervenors

Approved telephonically as to form JTA11

Santiago E. Juarez, Esq.
1822 Lomas Blvd NW
Albuquerque, NM 87104
(505) 246-8499
santiagojuarezlaw@gmail.com

Attorneys for Plaintiff Intervenors New Mexico League of United Latin American Citizens (NM LULAC), Paul A. Martinez, J. Paul Taylor, Peter Ossorio, Christy L. French, Matt Runnels, and Rae Fortunato in Holguin v. Duran, D-101-CV-2011-02944

Approved verbally 1/9/12

Casey Douma
In-House Legal Counsel
Pueblo of Laguna
PO Box 194
Laguna NM 87026
(505) 552-5776
cdouma@lagunatribe.org

Teresa Leger
Cynthia Kiersnowski
Nordhaus Law Firm LLP
1239 Paseo de Peralta
Santa Fe NM 87501-2758
(505) 982-3622
tleger@nordhauslaw.com
ckiersnowski@nordhauslaw.com
Attorneys for Plaintiffs in Pueblo of Laguna v. Duran, D-101-CV-2011-03016