

**STATE OF NEW MEXICO
COUNTY OF LEA,
FIFTH JUDICIAL DISTRICT COURT**

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

Plaintiffs,

v.

No. D-506-CV-2022-00041

**MAGGIE TOULOUSE 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.

NOTICE OF NON-APPEARANCE

The Governor, by and through undersigned counsel, hereby gives notice to the Court and all parties that the designee of the Governor's Office will not appear at the Rule 1-030(B)(6) NMRA deposition set for August 21, 2023, given the Governor's pending motion for protective order regarding said deposition (filed concurrently with this notice).

Respectfully submitted,

/s/ Holly Agajanian

HOLLY AGAJANIAN

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Counsel for Governor Michelle Lujan Grisham and

Lieutenant Governor Howie Morales

CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2023, I filed the foregoing through the New Mexico Electronic Filing System, which caused all counsel of record to be served by electronic means. I have additionally emailed a copy of the foregoing to all counsel of record per this Court's scheduling order.

Respectfully submitted,

/s/ Holly Agajanian

Holly Agajanian