

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,

No. D-506-CV-2022-00041

Plaintiffs,

v.

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, and BRIAN EGOLF in his official
capacity as Speaker of the New Mexico House of
Representatives,

Defendants.

**SECRETARY OF STATE MAGGIE TOULOUSE OLIVER'S
RESPONSE TO MOTION TO INTERVENE**

COMES NOW Defendant the New Mexico Secretary of State Maggie Toulouse Oliver, in her official capacity, ("SOS"), by and through undersigned counsel, and hereby responds to Mr. Larry Marker's *Motion to Intervene*. In accordance with the provisions of Rule 1-010(C) NMRA, SOS hereby adopts by reference the arguments advanced in opposition to the *Motion to Intervene* by Governor Michelle Lujan Grisham and Lieutenant Governor Howie Morales in their *Executive Defendants' Response to Motion to Intervene*, filed on February 18, 2022, as well as President Pro Tempore of the Senate Mimi Stewart and Speaker of the House of Representative Brian Egolf's *Response to Larry Marker's Motion to Intervene*, filed on February 22, 2022. SOS agrees with the other Defendants that, contrary to Rule 1-014(A)(2) NMRA's requirements, Mr. Marker has failed

to establish that his “interest is [not] adequately represented by existing parties,” and respectfully requests that the *Motion to Intervene* be denied.

Respectfully Submitted:

HECTOR H. BALDERAS
New Mexico Attorney General

By: /s/ Olga M. Serafimova

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CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2022, I filed the foregoing through the New Mexico Electronic Filing System, which caused all parties and counsel of record to be served by electronic means.

/s/ Olga M. Serafimova