

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

VOTER REFERENCE FOUNDATION, LLC
and HOLLY STEINBERG,

Plaintiff,

vs.

No. CIV 22-0222 JB/KK

RAÚL TORREZ, in his official capacity as New
Mexico Attorney general; and MAGGIE
TOULOUSE OLIVER, in her official capacity
as Secretary of State of New Mexico,

Defendants.

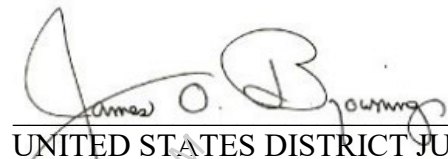
ORDER¹

THIS MATTER comes before the Court on Defendants Raúl Torrez and Maggie Toulouse Oliver's Motion to Stay Scheduling Order Deadlines Pending Appeal, filed February 23, 2023 (Doc. 95) ("Motion"). The Court held a hearing on February 28, 2023. Clerk's Minutes at 1, filed February 28, 2023 (Doc. 106). The primary issue is whether good cause exists to extend certain discovery deadlines pending the resolution of issues in this case that are before the United States Court of Appeals for the Tenth Circuit. According to the Defendants, many issues on appeal before the Tenth Circuit "will necessarily affect[] issues that are before this Court," and subsequently will affect discovery's scope. See Motion at 5. For the reasons stated on the record at the hearing, the Court largely denies Defendants' Motion, granting the stay only with respect to the prior restraint

¹This Order disposes of Defendants Raúl Torrez and Maggie Toulouse Oliver's Motion to Stay Scheduling Order Deadlines Pending Appeal, filed February 23, 2023 (Doc. 95). The Court will issue at a later date, however, a Memorandum Opinion more fully detailing its rationale for this decision.

issue. See Draft Transcript of Hearing at 119:21-120:1 (taken February 28, 2023)(Court).²
Accordingly, the Motion is denied in part and granted in part.

IT IS ORDERED that: (i) Defendants Raúl Torrez and Maggie Toulouse Oliver's Motion to Stay Scheduling Order Deadlines Pending Appeal, filed February 23, 2023 (Doc. 95) is denied in part and granted in part; and (ii) the case is stayed only as to the prior restraint issue.


UNITED STATES DISTRICT JUDGE

Counsel:

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-- and --

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²The Court's citations to the transcript of the hearing refer to the court reporter's original, unedited version. Any final transcript may contain slightly different page and/or line numbers.

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