

Davidson, Florene, EMNRD

From: Altomare, Mikal, EMNRD
Sent: Wednesday, April 28, 2010 6:12 PM
To: Ernest Padilla
Cc: Brooks, David K., EMNRD; Ezeanyim, Richard, EMNRD; Davidson, Florene, EMNRD; Sanchez, Daniel J., EMNRD
Subject: RE: Marks and Garner case Case No. 14393 reopened

Ernie,
I am not sure to whom she delivered it, but Florene advised me at just prior to 5 that she had not received anything from your office. Thank you for forwarding the electronic copy, however.
Mikal



Mikal M. Altomare

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From: Ernest Padilla [mailto:epadillapl@qwestoffice.net]
Sent: Wednesday, April 28, 2010 5:50 PM
To: Altomare, Mikal, EMNRD
Cc: Brooks, David K., EMNRD; Ezeanyim, Richard, EMNRD
Subject: RE: Marks and Garner case Case No. 14393 reopened

Mikal:

I just saw your latest e-mails. We hand-delivered a motion for continuance this afternoon. Apparently my secretary did not follow my instructions of hand-delivering a copy directly to you. A copy of the motion is attached. Please accept my apologies for any confusion that we may have created. Thank you.

Ernest L. Padilla
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From: Altomare, Mikal, EMNRD [mailto:Mikal.Altomare@state.nm.us]
Sent: Wednesday, April 28, 2010 5:00 PM
To: Brooks, David K., EMNRD; Ezeanyim, Richard, EMNRD
Cc: Ernest Padilla; Sanchez, Daniel J., EMNRD; Macquesten, Gail, EMNRD
Subject: RE: Marks and Garner case Case No. 14393 reopened
Importance: High

Mr. Brooks and Mr. Ezeanyim,

At this time the OCD would request that case No. 14393 reopened, set for status hearing tomorrow, be reset to the July 8, 2010 docket, at which time we expect that the remediation will be completed and the respondent will be able to provide substantive testimony regarding compliance with the Division's Order. It was the OCD's understanding that the Operator was going to file this request today, and it is therefore our understanding that the operator does not oppose the request. My apologies for the informality of the request (in email format). I will resubmit formally tomorrow morning in hard copy.

Please advise if the resetting is acceptable.

Thank you,
Mikal Altomare



Mikal M. Altomare

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From: Altomare, Mikal, EMNRD
Sent: Wednesday, April 28, 2010 4:51 PM
To: Brooks, David K., EMNRD; Ezeanyim, Richard, EMNRD
Cc: 'Ernest Padilla'
Subject: Marks and Garner case
Importance: High

David and Richard

Ernie had indicated he intended to request to continue the hearing set for tomorrow, and we had indicated that we did not oppose the continuance. It is now ten to 5 and I have not received anything yet, and I am wondering if the engineering bureau/examiners have received anything (as I do not always get copied on everything). I had not planned to proceed to hearing based on my prior communications with Mr. Padilla, and neither did Daniel, who has already left for the day. Please advise if you have received anything from Mr. Padilla's office. Thank you.

Mikal



Mikal M. Altomare

Assistant General Counsel
Oil Conservation Division