

## Davidson, Florene, EMNRD

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**From:** Michael Feldewert <MFeldewert@hollandhart.com>  
**Sent:** Friday, March 04, 2016 3:39 PM  
**To:** Brooks, David K, EMNRD; J. Scott Hall  
**Cc:** Jones, William V, EMNRD; Davidson, Florene, EMNRD; Dawson, Scott, EMNRD; Jordan L. Kessler; Ocean Munds-Dry  
**Subject:** Case 15441; Nearburg v. Concho

David: At the docket call yesterday, this case was moved by agreement of the parties to the April 14th docket as a placeholder so that this case can be consolidated with two pooling cases recently filed by COG. We anticipate a special hearing date will be needed in mid to late April to address the issues. We also hope to have any subpoena issues resolved in advance of April 14th.

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**From:** Brooks, David K, EMNRD [mailto:DavidK.Brooks@state.nm.us]  
**Sent:** Friday, March 04, 2016 3:01 PM  
**To:** J. Scott Hall; Michael Feldewert  
**Cc:** Jones, William V, EMNRD; Davidson, Florene, EMNRD; Dawson, Scott, EMNRD  
**Subject:** Case 15441; Nearburg v. Concho

Good Afternoon Gentlemen:

Reference is made to Scott's letter of February 19.

There was talk of an agreed date for a special setting. I remember the suggested date as April 11, though that is a Monday. Monday hearings are unusual, but there is no rule against it. Maybe it was the April 14. It is now parked on the March 17 docket. If there was an agreement for an April date, please advise so the case can be re-set to the agreed date.

If there are going to be discovery issues, please work them out if possible. If that is not possible, please advise me and Will ASAP, so the setting will not have to be deferred.

Thanks in advance for your consideration.

Sincerely

David