

**STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT**

JOSEPH HERRERA,

Plaintiff,

v.

Case No. D-101-CV-2025-02352

**NEW MEXICO REGULATION AND
LICENSING DEPARTMENT,**

Defendant.

**ANSWER TO VERIFIED COMPLAINT FOR DAMAGES AND DECLARATORY
RELIEF**

COMES NOW the New Mexico Regulation and Licensing Department (“RLD” or “Defendant”) through its attorney Park & Associates, LLC (James J. Grubel and Alfred A. Park) and for its Answer to Plaintiff’s Verified Complaint for Damages and Declaratory Injunctive Relief (“Complaint”) states:

SUMMARY OF ACTION

The Complaint contains a “Summary of Action” which contravenes Rule 1-008 NMRA’s requirement for a short and plain statement of the claim. Defendant denies each and every allegation, assertion, and characterization contained in the “Summary of Action,” including all factual and legal conclusions regarding Defendant’s conduct, authority, and alleged procedural or constitutional violations. Defendant further denies that Plaintiff is entitled to any of the relief requested therein.

PARTIES

1. Defendant admits the allegations contained in Paragraph 1 of the Complaint.

2. Defendant admits the allegations contained in Paragraph 2 of the Complaint.
3. Defendant denies the allegations contained in Paragraph 3 of the Complaint.

JURISDICTION & VENUE

4. The allegations in Paragraph 4 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.
5. The allegations in Paragraph 5 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.

GENERAL ALLEGATIONS

6. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 6 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
7. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 7 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
8. The allegations contained in Paragraph 8 of the Complaint appear to summarize and quote a regulation and the regulation speaks for itself. To the extent that the allegations contained in Paragraph 8 accurately reflect the regulatory provisions, RLD admits those allegations, and to the extent that the allegations contained in Paragraph 8 are

incomplete or inconsistent with the regulation, those allegations are denied. All other allegations contained in Paragraph 8 not specifically admitted are denied.

9. Defendant admits the allegations contained in Paragraph 9 of the Complaint.
10. Paragraph 10 of the Complaint is a statement or argument of counsel, and not a factual allegation to which a response might be deemed required. To the extent a response is required, it is denied.
11. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 11 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
12. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 12 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
13. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 13 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
14. The allegations contained in Paragraph 14 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 16 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied
15. The allegations contained in Paragraph 15 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 16 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied.

16. The allegations contained in Paragraph 16 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 16 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied.
17. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 17 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
18. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 18 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
19. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 19 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
20. Paragraph 20 of the Complaint is a statement or argument of counsel, and not a factual allegation to which a response might be deemed required. To the extent a response is required, it is denied.

II. CID issued a Code Violation Determination and Notice of Violation to Mr. Herrera on January 16, 2025 while omitting any mention of his right to appeal.¹

21. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 21 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.

¹ Defendant includes Plaintiff's headings solely to correspond with those used in the Complaint. These headings are recited for organizational purposes only and are not admissions of any factual or legal assertions contained therein.

22. The allegations contained in Paragraph 22 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 22 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied
23. The allegations contained in Paragraph 23 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 23 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied
24. The allegations contained in Paragraph 24 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 24 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied
25. Paragraph 25 of the Complaint is a statement or argument of counsel, and not a factual allegation to which a response might be deemed required. To the extent a response is required, it is denied.
26. The allegations contained in Paragraph 26 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 26 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied.
27. The allegations contained in Paragraph 27 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 27 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied

28. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 28 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
29. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 29 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
30. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 30 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
31. The allegations in Paragraph 31 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.
32. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 32, including subparagraphs a-d, of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
33. Defendant admits that an IPRA Request was submitted on January 29, 2025, but is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 33 and denies the same.
34. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 34 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.

35. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 35 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
36. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 36 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
37. The allegations in Paragraph 37 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.
38. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 38 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
39. Paragraph 10 of the Complaint is a statement or argument of counsel, and not a factual allegation to which a response might be deemed required. To the extent a response is required, it is denied.
40. The allegations in Paragraph 40 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.
41. Paragraph 41 of the Complaint is a statement or argument of counsel, and not a factual allegation to which a response might be deemed required. To the extent a response is required, it is denied.

42. Paragraph 42 of the Complaint is a statement or argument of counsel, and not a factual allegation to which a response might be deemed required. To the extent a response is required, it is denied.
43. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 43 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
44. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 44 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
45. RLD admits that Plaintiff filed a response to the NOV on April 2, 2025 but is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 45 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
46. RLD denies the allegations contained in Paragraph 46 of the Complaint.

III. **CID did not acknowledge or respond to Mr. Herrera's April 2 letter regarding the CVD; instead, it referred Mr. Herrera for an enforcement action against his license, intentionally withheld this information from him, maligned him to the Homeowner, and coached the Homeowner on how to access his bond.**

47. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 47 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
48. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 48 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.

49. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 49 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
50. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 50 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
51. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 51 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
52. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 52 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
53. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 53 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
54. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 54 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
55. The allegations in Paragraph 55 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.

56. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 56 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
57. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 57 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
58. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 58 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
59. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 59 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
60. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 60 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
61. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 61 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.
62. The allegations contained in Paragraph 62 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 62 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied

IV. **The memorandum, which CID submitted to the Construction Industries Commission is materially misleading and constitutes direct evidence of CID's willful misconduct.**

63. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 63 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.

64. The allegations contained in Paragraph 62 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 62 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied

65. The allegations in Paragraph 65 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.

66. The allegations contained in Paragraph 66 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 66 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied

67. RLD denies the allegations contained in Paragraph 67 of the Complaint.

i. CID made a false statement to the Commission

68. The allegations contained in Paragraph 68 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 68 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied.

69. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 69 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.

70. The allegations contained in Paragraph 70 of the Complaint reference a document that speaks for itself. To the extent the allegations of Paragraph 70 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied

71. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 71 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.

72. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 72 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.

73. RLD is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 73 of the Complaint and, placing its denial on that basis, denies the same and demands strict proof thereof.

74. Paragraph 74 of the Complaint is a statement or argument of counsel, and not a factual allegation to which a response might be deemed required. To the extent a response is required, it is denied.

75. RLD denies the allegations contained in Paragraph 75 of the Complaint.

ii. CID omitted important information from the Commission, making the CIC memo even more materially misleading and prejudicial to Mr. Herrera.

76. The allegations contained in Paragraph 76 of the Complaint reference a document that speaks for itself. To the extent the allegations of 76 accurately reflect the cited document they are admitted and to the extent that the allegations are not supported by the cited document they are denied.

77. The allegations in Paragraph 77 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.

78. RLD denies the allegation “But this is hardly of any great moment. Rather, CID selectively spotlighted counsel's travel problems to the Commission-framed as some exotic alibi-and used this to intentionally and improperly discredit Mr. Herrera” but admits the remaining allegations contained in Paragraph 78 of the Complaint.

79. RLD denies the allegations contained in Paragraph 79 of the Complaint.

80. RLD denies the allegations contained in Paragraph 80 of the Complaint.

81. RLD denies the allegations contained in Paragraph 81 of the Complaint.

82. RLD denies the allegations contained in Paragraph 82 of the Complaint.

83. RLD denies the allegations contained in Paragraph 83 of the Complaint.

V. The relief Mr. Herrera seeks is in the public interest.

84. RLD denies the allegations contained in Paragraph 84 of the Complaint.

85. RLD denies the allegations contained in Paragraph 85 of the Complaint.

86. RLD denies the allegations contained in Paragraph 86 of the Complaint.

87. RLD denies the allegations contained in Paragraph 87 of the Complaint.

88. RLD denies the allegations contained in Paragraph 88 of the Complaint.

89. RLD denies the allegations contained in Paragraph 89 of the Complaint.
90. RLD denies the allegations contained in Paragraph 90 of the Complaint.

JURY DEMAND

91. No response is required to Plaintiff's jury demand.

FIRST CAUSE OF ACTION

CIVIL RIGHTS ACT VIOLATION

Right To Due Process- N.M. Const. art. II, §18

Fundamentally Unfair Process

92. RLD incorporates herein the previous paragraphs as though fully set forth.
93. The allegations in Paragraph 93 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.
94. The allegations in Paragraph 94 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.
95. The allegations in Paragraph 95 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.
96. RLD denies the allegations contained in Paragraph 96 of the Complaint, including subparagraphs a through j.

97. RLD denies the allegations contained in Paragraph 97 of the Complaint.
98. RLD denies the allegations contained in Paragraph 98 of the Complaint.
99. RLD denies the allegations contained in Paragraph 99 of the Complaint.
100. RLD denies the allegations contained in Paragraph 100 of the Complaint. Punitive damages are not available as a matter of law.

SECOND CAUSE OF ACTION
Civil Rights Act Violation

Right To Due Process- N.M Const. art. II, §18

Omission of Appeal Rights on CVD Form

101. RLD incorporates herein the previous paragraphs as though fully set forth.
102. The allegations in Paragraph 102 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.
103. The allegations in Paragraph 103 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.
104. The allegations in Paragraph 104 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations. Placing its denial on that basis, RLD denies the same and demands strict proof thereof.
105. RLD denies the allegations contained in Paragraph 105 of the Complaint.

106. RLD denies the allegations contained in Paragraph 106 of the Complaint.

107. The allegations in Paragraph 107 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations.

Placing its denial on that basis, RLD denies the same and demands strict proof thereof.

108. RLD denies the allegations contained in Paragraph 108 of the Complaint.

109. RLD denies the allegations contained in Paragraph 109 of the Complaint.

THIRD CAUSE OF ACTION

Declaratory Judgment

Constitutionality of CVD Form under §14-5.9.9 (B) NMAC

110. RLD incorporates herein the previous paragraphs as though fully set forth.

111. RLD denies the allegations contained in Paragraph 111 of the Complaint.

112. RLD denies the allegations contained in Paragraph 112 of the Complaint.

113. RLD denies the allegations contained in Paragraph 113 of the Complaint.

114. RLD denies the allegations contained in Paragraph 114 of the Complaint.

115. RLD denies the allegations contained in Paragraph 115 and subparagraphs a through d, of the Complaint.

FOURTH CAUSE OF ACTION

Inspection of Public Records Act Violation

116. RLD incorporates herein the previous paragraphs as though fully set forth.

117. The allegations in Paragraph 117 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations.

Placing its denial on that basis, RLD denies the same and demands strict proof thereof.

118. Defendant admits the allegations contained in Paragraph 118 of the Complaint.

119. The allegations in Paragraph 119 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations.

120. The allegations in Paragraph 120 of the Complaint contain overly broad legal conclusions rather than factual allegations, and so RLD is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations.

121. RLD denies the allegations contained in Paragraph 121 of the Complaint.

122. RLD denies the allegations contained in Paragraph 122 of the Complaint.

123. RLD denies the allegations contained in Paragraph 123 of the Complaint.

124. RLD denies the allegations contained in Paragraph 125 of the Complaint.

PRAYER FOR RELIEF

RLD denies all relief requested in Plaintiff's Prayer for Relief including Paragraphs 1-9.

All allegations not specifically admitted herein are denied.

AFFIRMATIVE DEFENSES

1. Plaintiff has failed to state a claim, in whole or part, upon which relief may be granted.
2. Any damages allegedly sustained by Plaintiff were caused by his own actions and were not proximately caused by RLD.
3. Plaintiff's claims for punitive damages are prohibited by the New Mexico Civil Rights Act.
4. Plaintiff's claim is not ripe for adjudication.
5. Plaintiff has failed to exhaust available administrative remedies under the Construction Industries Licensing Act and applicable NMAC regulations.

6. Plaintiff's alleged injuries were not caused by any policy, practice, or custom of RLD but, if at all, by independent acts of others outside RLD's control.
7. Plaintiff has failed to mitigate his alleged damages, if any.
8. To the extent Plaintiff seeks declaratory or injunctive relief, such relief is barred because there is no actual or justiciable controversy, and the requested relief would amount to an improper advisory opinion.
9. Plaintiff's claims for damages under the Inspection of Public Records Act are barred or limited because RLD acted in good faith, and any alleged nondisclosure was neither willful nor in bad faith.
10. RLD reserves the right to assert additional defenses as they become known through discovery.

WHEREFORE Defendant, the New Mexico Regulation and Licensing Department, respectfully requests that the Court:

- A. Dismiss Plaintiff's Verified Complaint for Damages and for Declaratory and Injunctive Relief with prejudice;
- B. Deny all relief requested by Plaintiff;
- C. Award Defendant its costs incurred herein; and
- D. Grant such other and further relief as the Court deems just and proper.

Respectfully Submitted,

PARK & ASSOCIATES, LLC

/s/ James J. Grubel

James J. Grubel

Alfred A. Park

Attorneys for RLD

3840 Masthead Street, N.E.

Albuquerque, NM 87109

(505) 246-2805

jgrubel@parklawnm.com

I hereby certify a true and correct copy
of the above pleading was filed and served by the
Courts e-filing system on this 14th
day of October 2025 to all counsel of record.

/s/ James J. Grubel

James J. Grubel