

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

**DANIEL T., JOHN T., and LUCY T.,
through their next friend DAVID
ROBINSON, MARY T., HILDA T.,
NORMA ESTRADA, VERONICA
MORENO, FRANCISCO RODRIGUEZ,
on behalf of himself and his children,
JUAN C., ALMA C., GEORGE C., JESSE
C., and ROBERTO C., and CHRIS V.,
through his mother and next friend IDA V.,**

Plaintiffs,

vs.

**BOARD OF COUNTY
COMMISSIONERS FOR THE COUNTY
OF OTERO, NEW MEXICO; OTERO
COUNTY SHERIFF JOHN BLANSETT,
in his individual and official capacity;
OTERO COUNTY SHERIFF'S DEPUTIES
LEON LEDBETTER, ROB HANSEN,
LEWIS REEVES, CLARK KINZLER,
GERALDINE MARTINEZ, and DEPUTY
JOHN DOES #1-7, in their individual and
official capacities.**

Defendants.

No. CV 07-1044 WPL/LCS

**JOINT MOTION TO APPROVE RESOLUTION AND, THEREAFTER
TO DISMISS PLAINTIFFS' COMPLAINT WITH PREJUDICE**

Plaintiffs and Defendants, by and through their respective undersigned counsel respectfully move this Court to approve the resolution of this matter and, conditioned upon such approval, to thereafter dismiss with prejudice Plaintiffs' Complaint, including all claims that were or could have been brought by Plaintiffs in this matter. As grounds for this Motion, the parties state as follows:

1. A dispute arose between the Plaintiffs and the Defendants as a result of events that took place on or about September 10, 2007 in Chaparral, New Mexico. The dispute resulted in this lawsuit.

2. The Plaintiffs and the Defendants have reached a proposed resolution of the controversy and dispute in this lawsuit with no admission of liability by any party.

3. Because the claims made and the proposed settlement reached involve, in part, claims being made on behalf of minors, judicial approval of the proposed settlement as it pertains to the minors is required.

4. The Plaintiffs and the Defendants request that the Court allow them to present the proposed resolution of this case by way of a hearing at which a record of the resolution will be made and the terms of the resolution will be submitted for the Court's consideration and approval. Because this matter involves minors, the parties additionally request that the Court order that the hearing be closed to all persons except the parties and their counsel.

5. Assuming the Court approves the parties' agreed upon resolution, and following the stipulated dismissal of the individual Defendants by the Plaintiffs, the remaining parties; i.e. the Plaintiffs and the Board of County Commissioners for the County of Otero, request that the Court then dismiss the Plaintiffs' Complaint with prejudice.

WHEREFORE, the parties respectfully request that the Court set a hearing to consider approval of a settlement, and after hearing the terms, approve the settlement, and thereafter, dismiss the Complaint; and for such other and further relief as the Court deems just and proper.

Respectfully submitted by:

Approved Via Email April 14, 2008

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