

SETON FAMILY TRUST V. WIRTH

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**SETON FAMILY TRUST
INTERESTS by TRUSTEE
RICHARD A. VAN AUKEN;
and RICHARD A. VAN AUKEN,
Plaintiff-Appellants,**

v.

**PETER F. WIRTH, ESQ.; FLETCHER
R. CATRON, ESQ., CATRON, CATRON
& POTTOW, P.A.; SAWTELL, WIRTH
& BIEDSCHEID, P.C.; MICHAEL T.
POTTOW, ESQ.; BRYAN P. BIEDSCHEID, ESQ;
W. ANTHONY SAWTELL, ESQ; THOMAS B.
CATRON, ESQ.; JOHN S. CATRON, ESQ.;
KAREN AUBREY, ESQ.; BRIGGS CHENEY, ESQ.;
PREBYTERIAN MEDICAL SERVICES FOUNDATION;
MARIE HARRISON; and DOES 1 THROUGH 20
INCLUSIVE,
Defendants-Appellees.**

NO. 30,087

COURT OF APPEALS OF NEW MEXICO

April 27, 2010

APPEAL FROM THE DISTRICT COURT OF SANTA FE COUNTY, James A. Hall,
District Judge

COUNSEL

Seton Family Trust Interests by Trustee, Richard A. Van Auken, Santa Fe, NM, Pro Se
Appellant

Law Office of Karen Aubrey, Karen Aubrey, Santa Fe, NM, for Appellee Karen Aubrey

Law Office of Jack Brant, P.C., John M. Brant, Albuquerque, NM, for Appellees

Catron, Catron and Pottow, P.A., Sawtell, Wirth & Biedscheid, Peter F. Wirth, Michael T. Pottow, Fletcher R. Catron, Bryan P. Biedscheid, W. Anthony Sawtell, Thomas B. Catron, John S. Catron

JUDGES

CYNTHIA A. FRY, Chief Judge. WE CONCUR: ROBERT E. ROBLES, Judge, LINDA M. VANZI, Judge

AUTHOR: CYNTHIA A. FRY

MEMORANDUM OPINION

FRY, Chief Judge.

Plaintiffs appeal from an order granting a protective order to Defendant Karen Aubrey. [DS 2] We issued a notice of proposed summary disposition proposing to dismiss the appeal for lack of a final order and mootness. Plaintiffs filed a timely memorandum in support agreeing with our proposed analysis. [MIS 2] Plaintiffs also filed a motion requesting this Court to consolidate this appeal with No. 30,215. [MIO 2-3] For the reasons in the notice of proposed disposition, we dismiss this appeal. By separate order, we also deny the motion to consolidate.

IT IS SO ORDERED.

CYNTHIA A. FRY, Chief Judge

WE CONCUR:

ROBERT E. ROBLES, Judge

LINDA M. VANZI, Judge