

G & G SERVS. INC. V. AGORA SYNDICATE INC., 128 N.M. 690, 997 P.2d 822 (S. Ct. 2000)

**G & G SERVICES, INC., Plaintiff-Respondent,
vs.
AGORA SYNDICATE, INC., Defendant-Petitioner.**

NO. 26,116

SUPREME COURT OF NEW MEXICO

128 N.M. 690, 997 P.2d 822

February 18, 2000, Decided

JUDGES

The Hon. Pamela B. Minzner, Chief Justice of the Supreme Court of the State of New Mexico.

AUTHOR: PAMELA B. MINZNER

OPINION

ORDER

WHEREAS, this matter came on for consideration by the Court upon a petition for writ of certiorari to the New Mexico Court of Appeals and response thereto, and the Court having considered said petition and being sufficiently advised issued an order denying said petition on January 10, 2000; and

WHEREAS, a motion for rehearing and brief in support thereof was filed on January 25, 2000, and the Court having considered said motion and supporting brief and being sufficiently advised, Chief Justice Pamela B. Minzner, Justice Joseph F. Baca, Justice Gene E. Franchini, Justice Patricio M. Serna, and Justice Petra Jimenez Maes concurring;

NOW, THEREFORE, IT IS ORDERED that the motion for rehearing hereby is GRANTED;

IT IS FURTHER ORDERED that the petition hereby is GRANTED and a writ of certiorari shall issue to the New Mexico Court of Appeals;

IT IS FURTHER ORDERED that the petition is GRANTED only on issue numbered two (2) as presented in the petition;

IT IS FURTHER ORDERED that petitioner shall file its brief in chief on or before April 10, 2000, with respondent's answer brief due forty-five (45) days after the filing of petitioner's brief, and petitioner's reply brief, if any, due twenty (20) days after filing of respondent's answer briefs in accordance with the Rules of Appellate Procedure;

IT IS FURTHER ORDERED that the briefs shall consolidate and update the briefs filed in the New Mexico Court of Appeals **with respect to the issue identified herein**, without incorporation by reference, and shall comment on the Court of Appeals opinion filed November 2, 1999; and

IT IS FURTHER ORDERED that oral argument may be requested pursuant to Rule 12-214 NMRA.

IT IS SO ORDERED.

WITNESS, The Hon. Pamela B. Minzner, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 18th day of February, 2000.