

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

DEBRA HATTEN-GONZALES, et al.,

Plaintiffs,

vs.

No. CIV 88-0385 KG/JHR  
Consolidated with  
No. CIV-88-0786 KG/JHR

DAVID R. SCRASE, Secretary of the  
New Mexico Human Services Department,

Defendant.

ORDER

This matter comes before the Court on Plaintiffs' Motion to Dismiss and Memorandum in Support (Doc. 1074), filed November 2, 2022. This motion is fully briefed and ready for ruling. (Docs. 1087, 1091).

Defendant's arguments on this Motion to Dismiss substantially if not entirely overlap with issues this Court addressed in the motions addressed in its Memorandum Opinion and Order (Doc. 1129). In that Order, entered on August 14, 2023, the Court DENIED Defendant's Rule 60(b)(6) Motion (Doc. 1082); GRANTED Plaintiff's Motion for Leave to Add Named Members of Plaintiff Class (Doc. 1071); and DENIED Defendant's Request for Evidentiary Hearing (Doc. 1083). *See* Memorandum Opinion and Order (Doc. 1129). As a result of these rulings, along with the Court's consideration of the parties' briefing on this motion, as well as its consideration of the Second Modified Settlement Agreement, (Doc. 854), the Court finds Defendant's motion is not well taken and therefore it is denied.

THEREFORE,

Defendant's Motion to Dismiss (Doc. 1074) is DENIED.

IT IS SO ORDERED.

  
UNITED STATES DISTRICT JUDGE