

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

HEATHER BURKE,

Plaintiff,

v.

No. 16-cv-0470 SMV/JFR

**STATE OF NEW MEXICO GENERAL SERVICES
DEPARTMENT, EDWYNN BURCKLE, JAY HONE,
ANGELA DAWSON, BRENDA GUETHS, and
KAREN BALTZLEY,**

Defendants.¹

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS'
MOTION TO LIMIT SUMMARY JUDGMENT BRIEFING**

THIS MATTER is before the Court on Defendants' Motion to Limit Summary Judgment Briefing and to Deny Plaintiff's Motion for Partial Summary Judgment on Counts I and III Without Prejudice [Doc. 231], filed on September 30, 2019. Plaintiff responded on October 8, 2019. [Doc. 233]. Defendants replied on October 11, 2019. [Doc. 238]. The Court held Oral Argument on the Motion on October 16, 2019. [Doc. 243]. The parties have consented to have the undersigned conduct dispositive proceedings and enter final judgment in this matter. [Doc. 104]. The Court has considered the briefing, the relevant portions of the record, the relevant law, and the oral argument. For the reasons stated on the record at the October 16, 2019 Oral Argument, Defendants' Motion is **GRANTED IN PART** and **DENIED IN PART**.

¹ The State of New Mexico is no longer a party in this action. *See* [Docs. 50, 53]. All other Defendants were named in Plaintiff's Amended Complaints [Docs. 53, 54] following remand from the Tenth Circuit.

IT IS ORDERED, ADJUDGED, AND DECREED that Defendants' Motion [Doc. 231] is **GRANTED** to the extent that Plaintiff may not file additional motions for partial summary judgment or motions for summary judgment without filing a motion requesting leave of Court. *See United States v. Copar Pumice Co.*, No. 09-cv-1201 JP/KBM, 2013 WL 12159365, at *3-6 (D.N.M. Sept. 12, 2013).

IT IS FURTHER ORDERED that Defendants' request that the Court deny without prejudice Plaintiff's pending Motion and Memorandum in Support of Partial Summary Judgment on Count I: Fair Pay for Women Act and Count III: Inspection of Public Records Act [Doc. 230] is **DENIED**. Defendants must respond to this Motion no later than **October 30, 2019**.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge