

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

**CYNTHIA HITCHENS,**

**Plaintiff,**

**v.**

**No. 16-cv-0576 SMV/KK**

**NANCY DOLL,**


**Defendant.**

**ORDER**

THIS MATTER is before the Court on Defendant's Motion for Summary Judgment or, in the Alternative, Dismissal with Prejudice [Doc. 29] ("MSJ"), filed on October 28, 2016. An in-person hearing is set for January 23, 2017. *See* [Doc. 33]. At the hearing, counsel must be prepared to argue the MSJ and additionally to address:

- whether Defendant's counterclaim for revocation of inheritance is barred by the probate exception to federal jurisdiction, *see Marshall v. Marshall*, 547 U.S. 293, 311–12 (2006); and
- whether Plaintiff will stipulate that the Settlement Agreement attached as Exhibit A to Defendant's Answer . . . and Counterclaims, [Doc. 9] at 8–14, is a true and accurate copy of the Settlement Agreement at issue in this case, and if not, precisely and specifically what distinguishes it from a true and accurate copy.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**  
**Presiding by Consent**