

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

IRMA MARTINEZ, FELIPE MARTINEZ,
LARRY MUNN, JOSE PRIETO, and LEE HUNT,
as Personal Representative of the Estate of
ABEL PORTILLO, deceased,

Plaintiffs,

vs.

No. 1:17-cv-00922-KWR-JFR

CONTINENTAL TIRE THE AMERICAS, LLC,
an Ohio Limited Liability Company,

Defendant.

ORDER GRANTING JOINT MOTION TO DISMISS WITH PREJUDICE

THIS MATTER having come before the Court on the Unopposed Motion of Plaintiff Jose Prieto (“Prieto”) and Defendant, Continental Tire the Americas, LLC (“CTA”) to Dismiss with Prejudice Prieto’s claims against CTA, the Court finds that the Motion is **WELL-TAKEN** and should be **GRANTED**.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that all claims, including claims for attorneys’ fees and costs, that were or could have been brought by Prieto against CTA are **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.



**KEA W. RIGGS
UNITED STATES DISTRICT JUDGE**

SUBMITTED BY:

***Attorneys for Defendant Continental Tire
The Americas, LLC***

By: /s/ Donald A. DeCandia

Donald A. DeCandia
HARTLINE BARGER LLP
141 Palace Ave., Suite 100
Santa Fe, New Mexico 87501
Telephone: (505) 336-5291
ddecandia@hartlinebarger.com

~ and ~

Walter M. Yoka
Anthony F. Latiolait
Bret R. Henry
Shauna Avrith
YOKA & SMITH, LLP
445 South Figueroa Street, 38th Floor
Los Angeles, CA 90017
Tel.: 213-427-2300
wyoka@yokasmith.com
alatiolait@yokasmith.com
bhenry@yokasmith.com

APPROVED BY:

Attorneys for Plaintiff Jose Prieto

By: /s/ Electronically approved 1/12 /2023

Steven K. Sanders
LAW OFFICES OF STEVEN K. SANDERS
820 Second Street NW
Albuquerque, NM 87102
(505) 243-7170
stevenksanders@aol.com

***Attorneys for Plaintiffs Irma Martinez, Felipe Martinez, Larry Munn and Lee Hunt, as
Representative of the Estate of Abel Portillo, deceased***

By: /s/ Electronic approval by Randi McGinn on 04/26/2023

Randi McGinn

Michael E. Sievers

Mixcoatl "Mish" Miera-Rosete

MCGINN MONTOYA LOVE & CURRY PA

201 Broadway Blvd. SE

Albuquerque, New Mexico 87102

(505) 843-6161

Randi@McGinnLaw.com

Mike@McGinnLaw.com

Mish@McGinnLaw.com

~ and ~

Dicky Grigg

SPIVEY & GRIGG, LLP

3303 Northland Drive, #205

Austin, TX 78731-4955

(512) 474-6061

dicky@spivey-law.com