



New Mexico Land Title Association

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11/27/17 Legal Update:

Update on Victor Marshall Lawsuit

Judge David Thomson held a hearing this morning in connection with the Sutton v. OSI and NMLTA class action law suit (often referred to as the Victor Marshall lawsuit). The Court was scheduled to hear the motions to dismiss filed by NMLTA. Before he heard those motions, however, Judge Thomson asked the attorney for OSI, Thomas Banner, to argue his motion to disqualify the judge. After extensive argument and discussion, the Judge stated that he did not agree with the argument put forth by the State, but he was going to recuse himself anyway.

As a result, he did not hear our motions, since he is removing himself from the case. The case will now be re-assigned to a different judge, perhaps Raymond Ortiz. NMLTA will request hearings on its motions with Judge Ortiz, or any other judge to whom the case may be assigned. We will let you know whenever a new hearing date is established. If you have questions, please let us know.