

I CERTIFY AND ATTEST:
A true copy was served on all parties
or their counsel of record on date filed.

Lucy D. Meyer

Clerk of the Supreme Court
of the State of New Mexico

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

Official Citation: **2016-NMSC-006**

Filing Date: **February 15, 2016**

NO. S-1-SC-35426

NOE RODRIGUEZ,

Worker-Respondent,

v.

BRAND WEST DAIRY, Uninsured Employer,

Employer-Respondent,

and

NEW MEXICO UNINSURED EMPLOYERS FUND,

Insurer-Petitioner,

Consolidated With:

MARIA ANGELICA AGUIRRE,

Worker-Respondent,

v.

M.A. & SONS CHILI PRODUCTS,

Employer-Respondent,

I CERTIFY AND ATTEST:
A true copy was served on all parties
or their counsel of record on date filed.

Jose D. Lopez

Clerk of the Supreme Court
of the State of New Mexico

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

and

**FOOD INDUSTRY SELF INSURANCE
FUND OF NEW MEXICO,**

Insurer-Respondent.

AND

NO. S-1-SC-35438

NOE RODRIGUEZ,

Worker-Respondent,

v.

BRAND WEST DAIRY, Uninsured Employer,

Employer-Petitioner,

and

NEW MEXICO UNINSURED EMPLOYERS FUND,

Insurer,

Consolidated With:

MARIA ANGELICA AGUIRRE,

Worker-Respondent,

v.

M.A. & SONS CHILI PRODUCTS,

Step D. Mayo

Clerk of the Supreme Court
of the State of New Mexico

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

Employer-Petitioner,

and

FOOD INDUSTRY SELF INSURANCE
FUND OF NEW MEXICO,

Insurer-Petitioner.

ORDER

WHEREAS, this matter came on for consideration by the Court upon motion to clarify stay and response thereto, and the Court having considered said pleadings and being sufficiently advised, Chief Justice Barbara J. Vigil, Justice Petra Jimenez Maes, Justice Edward L. Chavez, Justice Charles W. Daniels, and Justice Judith K. Nakamura concurring;

NOW, THEREFORE, IT IS ORDERED that the motion to clarify the stay is GRANTED; and

IT IS FURTHER ORDERED that, pursuant to Rule 12-405(C) NMRA, the precedential value of the Court of Appeals' opinion in *Rodriguez v. Brand West Dairy*, 2015-NMCA-097, 356 P.3d 546, is hereby suspended until further order of this Court; and

IT IS FURTHER ORDERED that this case shall be scheduled for oral

I CERTIFY AND ATTEST:

A true copy was served on all parties
or their counsel of record on date filed.

Joey D. Moya

Clerk of the Supreme Court
of the State of New Mexico

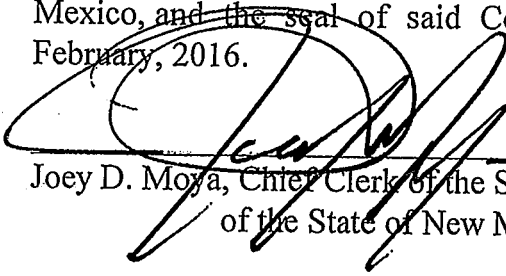
1
2
3
4
5
6
7
8
9

argument on the next available calendar.

IT IS SO ORDERED.

WITNESS, Honorable Barbara J. Vigil, Chief Justice
Chief Justice of the Supreme Court of the State of New
Mexico, and the seal of said Court this 15th day of
February, 2016.

(SEAL)



Joey D. Moya, Chief Clerk of the Supreme Court
of the State of New Mexico