

CITY OF ALBUQUERQUE

BOARD OF ETHICS AND CAMPAIGN PRACTICES

NERI HOLGUIN,

Complainant,

v.

CASE NO. BOE 02-2021

MANUEL GONZALES, III,

Respondent.

**COMPLAINANT'S OBJECTIONS TO  
RESPONDENT'S PROPOSED EXHIBITS AND 5**

Complainant hereby objects to the admission of Respondent's proposed Exhibits 1 and 5 as identified in Respondent's Amended § 4(E)(2) Notices on the grounds that the proposed exhibits are irrelevant.

Respondent's proposed Exhibit 1 is an audio recording of Minnie Vigil. As a threshold matter, Respondent has failed to provide Complainant with a copy of this recording, as required under Rule 4(E)(2). Moreover, the recording is not relevant. Complainant initially identified the Qualifying Contribution submitted on behalf of Ms. Vigil as a potential forgery. But Complainant excluded that Qualifying Contribution from the set of documents submitted to the Board on July 8, 2021, after Ms. Vigil represented that the signature on the receipt was authentic. The receipt for Ms. Vigil's Qualifying Contribution likewise was not included among the exhibits submitted to the Board on August 31, 2021. Ms. Vigil's statement, therefore, is not relevant to the issues before the Board, and this Exhibit should not be admitted into evidence.

Respondent's proposed Exhibit 5 is a 2012 news report discussing allegations that a State Senate candidate submitted nominating petitions with forged signatures. Respondent also reserves the right to submit "similar articles on the same subject matter," without identifying or attaching them. News coverage regarding allegations from ten years ago has no bearing on the question as to whether Respondent's campaign violated the Open and Ethical Elections by submitting a vast number of forged Qualifying Contribution receipts, and this Exhibit accordingly should not be admitted into evidence.

### **CONCLUSION**

For the foregoing reasons, Complainant respectfully requests that the Board exclude Exhibits 1 and 5 from the evidence presented at the hearing of this matter.

Respectfully submitted,

KEEFE LAW FIRM

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*Attorney for Complainant*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 7th day of September, 2021, the foregoing was sent via email to [ewatson@cabq.gov](mailto:ewatson@cabq.gov), [mdiemer@cabq.gov](mailto:mdiemer@cabq.gov), [Aschultz@rodey.com](mailto:Aschultz@rodey.com), [carter@harrisonhartlaw.com](mailto:carter@harrisonhartlaw.com), and [daniel@harrisonhartlaw.com](mailto:daniel@harrisonhartlaw.com).

KEEFE LAW FIRM

By: */s/ Lauren Keefe* \_\_\_\_\_  
Lauren Keefe