

**STATE OF NEW MEXICO
COUNTY OF SANDOVAL
THIRTEENTH JUDICIAL DISTRICT**

GREGORY B. PACK,

Plaintiff,

v.

No. D-1329-CV-2021-01649

**NORTHERN MEADOWS PROPERTY
OWNERS ASSOCIATION, INC.,**

Defendant.

DEFAULT JUDGMENT

THIS MATTER having come before the Court upon Plaintiff's Motion For Default Judgment, Plaintiff being represented by Stephen P. Curtis, Attorney at Law, P.C. (Stephen P. Curtis, Esq.), and the Court being otherwise fully advised in the premises;

THE COURT FINDS:

1. The Court has jurisdiction over the parties hereto and the subject matter herein.
2. Defendant, Northern Meadows Property Owners Association, Inc., was served with process on November 16, 2021 as evidenced by the Return of Service filed herein.
3. Defendant, Northern Meadows Property Owners Association, Inc., is in default.
4. The allegations in Plaintiff's Complaint are true and correct with regard to Defendant, Northern Meadows Property Owners Association, Inc., and said allegations are hereby adopted as the findings of this Court.
5. Plaintiff is entitled to a Declaratory Judgment on Count I.
6. Plaintiff is entitled to recover damages for Defendant's violation of §47-16-5.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

Count I

A. Northern Meadows Property Owners Association, Inc. (herein "NMPOA") is obligated to remove sand from the gravel on all front yards in Northern Meadows.

B. NMPOA is obligated to replace any dead plants in the front yards of all Members.

C. NMPOA must provide the same level of maintenance to all Members, not just to favored Members.

D. NMPOA is obligated to formulate and publish a plan for complying with its maintenance obligations.

E. NMPOA is obligated to provide front yard maintenance services to Members even though the Member may be delinquent in paying monthly assessments.

F. Gregory Pack shall recover from NMPOA his costs of this action.

Count II

IT IS FURTHER ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

A. Defendant is liable to Plaintiff for violation of §47-16-5, NMSA 1978.


B. Defendant shall provide to Plaintiff e-mail addresses of all members of the Northern Meadows Property Owners Association, Inc.

C. Defendant shall provide to Plaintiff the information listed in Exhibits 8 and 9 to the First Amended Complaint.

D. The Court will set a hearing to determine the amount of statutory damages to be awarded in accordance with §47-16-5(A), NMSA 1978.

E. Gregory B. Pack shall recover from NMPOA his costs of this action.

THE HONORABLE GEORGE P. EICHWALD


THIRTEENTH JUDICIAL DISTRICT COURT JUDGE

Submitted by:

STEPHEN P. CURTIS
ATTORNEY AT LAW, P.C.

By: /s/ Stephen P. Curtis

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