

**SECOND JUDICIAL DISTRICT COURT  
COUNTY OF BERNALILLO  
STATE OF NEW MEXICO**

ENDORSED  
FILED IN MY OFFICE THIS

SEP 17 2008

*Quantia M. Duan*  
CLERK DISTRICT COURT

**NEW MEXICO TRANSPORTATION UNION, et al.,**

**Appellants,**

**vs.**

**CV- 2008 098 78**

**CITY OF ALBUQUERQUE, NEW MEXICO, et al.,**

**Appellees,**

**TED BACA**

**and**

**AMERICAN FEDERATION OF STATE, COUNTY,  
AND MUNICIPAL EMPLOYEES, et al.,**

**Appellees.**

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN** that the New Mexico Transportation Union (“NMTU”) appeals from the August 12, 2008 verbal decision of the City of Albuquerque’s Labor-Management Relations Board granting the motions of the City of Albuquerque and American Federation of State, County, and Municipal Employees (AFSCME) appellees to dismiss the Appellants’ Complaint of Prohibited Labor Practices (Case No. LB-08-18) filed on or around June 5, 2008.

This appeal is taken pursuant to Rule 1-074 of the New Mexico Rules of Civil Procedure and Section 3-2-10(D) of the City’s Labor-Management Relations Ordinance, which provides that:

An aggrieved party may appeal the decision of the Board within 30 days of the issuance of a written decision by following the Rules of Civil Procedure for the District Courts.

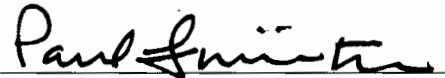
No copy of a written decision is attached, as none has been issued by the Labor Board.

This appeal is nonetheless taken pursuant to Rule 1-074(E), which provides that

A notice of appeal filed after the announcement of a decision by an agency, but before the decision or order is issued by the agency, shall be treated as timely filed.


A Certificate of Satisfactory Arrangements for the preparation and production of the record of proceedings in this matter is submitted with this Notice.

Respectfully submitted,



Paul Livingston  
Attorney for Appellants  
P.O. Box 250  
Placitas, NM 87043  
(505) 771-4000  
(505) 771-2333 (fax)

I HEREBY CERTIFY that I served the foregoing Notice of Appeal by fax and/or e-mail to the City of Albuquerque's Office of Administrative Hearings and to counsel for the City of Albuquerque and AFSCME appellees on or before September 18, 2008.

  
Paul Livingston

**SECOND JUDICIAL DISTRICT COURT  
COUNTY OF BERNALILLO  
STATE OF NEW MEXICO**

ENDORSED  
FILED IN MY OFFICE THIS

SEP 17 2008

*Quinn M. Neenan*  
CLERK DISTRICT COURT

**NEW MEXICO TRANSPORTATION UNION, et al.,**

**Appellants,**

**vs.**

**CITY OF ALBUQUERQUE, NEW MEXICO, et al.,** *N- 200809878*

**Appellees,**

**and**

**AMERICAN FEDERATION OF STATE, COUNTY,  
AND MUNICIPAL EMPLOYEES, et al.,**

**Appellees.**

**CERTIFICATE OF SATISFACTORY ARRANGEMENTS**

**NOTICE IS HEREBY GIVEN** that the New Mexico Transportation Union, through its attorney, Paul Livingston, has made satisfactory arrangements with Jeanette R. Lovato, of the City's Office of Administrative Hearings, for the preparation and production of the record of the administrative proceedings held in this appeal of the Labor Board's decision in Case No. LB-08-18 and for payment for that record.

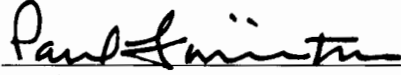
Respectfully submitted,

*Paul Livingston*

Paul Livingston  
Attorney for Appellant  
P.O. Box 250  
Placitas, NM 87043  
(505) 771-4000

CLERK DISTRICT COURT

I HEREBY CERTIFY that I served the foregoing Certificate by fax and/or e-mail to the City of Albuquerque's Office of Administrative Hearings and counsel for the City of Albuquerque on or before September 18, 2008.

A handwritten signature in cursive script, appearing to read "Paul Livingston", written over a horizontal line.

Paul Livingston