

**BERLANGIERI V. RUNNING ELK CORP., 132 N.M. 288, 47 P.3d 447 (S. Ct. 2002)**

**NICHOLAS J. BERLANGIERI AND CAROL BERLANGIERI,  
Plaintiffs-Respondents,  
vs.  
RUNNING ELK CORPORATION, AND SECOND RUNNING ELK CORPORATION  
d/b/a THE LODGE AT CHAMA, Defendants-Petitioners.**

NO. 27,492

SUPREME COURT OF NEW MEXICO

132 N.M. 288, 47 P.3d 447

May 31, 2002, Decided

**Berlangieri v. Running Elk Corp.**, 2002-NMCA-060, 48 P.3d 70 (Ct. App. 2002).

### **OPINION**

#### ORDER

WHEREAS, this matter came on for consideration by the Court upon petition for writ of certiorari to the New Mexico Court of Appeals and response thereto, and the Court having considered said pleadings and being sufficiently advised issued its writ of certiorari on May 20, 2002; and

WHEREAS, the petition was GRANTED on all issues as stated in the petition and response thereto pursuant to Rule 12-201(C). NOW, THEREFORE, IT IS ORDERED that this cause hereby is placed on the

GENERAL CALENDAR and the parties hereby are notified that the Record Proper and Transcript of Proceedings were filed in this Court on May 22, 2002;

IT IS FURTHER ORDERED that petitioners' brief in chief shall be timely if filed on or before July 26, 2002, with respondent's answer brief due forty-five (45) days after the filing of petitioners' brief, and petitioners' reply brief, if any, due twenty (20) days after filing of respondent's answer brief in accordance with the Rules of Appellate Procedure;

IT IS FURTHER ORDERED that the briefs shall consolidate and update any briefs filed in the New Mexico Court of Appeals **with respect to the issues identified herein**, without incorporation by reference, and shall comment on the Court of Appeals opinion filed April 9, 2002; and

IT IS FURTHER ORDERED that oral argument shall be heard after the filing of all briefs.

IT IS SO ORDERED.

WITNESS, Honorable Patricio M. Serna, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 31st day of May, 2002.