

## **Our Attorneys**

**Frank R. Coppler** is the founding partner of Coppler & Mannick, P.C., in Santa Fe, New Mexico. Mr. Coppler is a former assistant city attorney for the City of Albuquerque and counsel to and executive director for the Municipal League. As a private practitioner, Mr. Coppler has continued to serve many governmental clients, including municipalities, water districts, mutual domestic water and wastewater associations, and regional councils of governments. In his work for local governmental bodies, Mr. Coppler has participated in numerous public financings, including general obligation bonds and revenue bonds, as issuer's counsel or as bond counsel. He has successfully defended public entities challenges raised as to the validity and security of general obligation and revenue bonds, including challenges to the validity of the results in general obligation bond elections. He has also successfully brought to completion a number of actions in eminent domain to acquire property needed for the projects financed by the bonds. Mr. Coppler is a graduate of the University of New Mexico School of Law.

**John L. Appel** graduated *cum laude* from the University of New Mexico School of Law. Since then, he has been employed at Coppler & Mannick, P.C., where he has worked with various municipalities, water and wastewater districts, and other entities on the financing of public projects, including water utility systems and wastewater systems. Mr. Appel has worked with the Eldorado Area Water and Sanitation District in Santa Fe in the issuance of general obligation bonds and revenue bonds to finance the acquisition and improvement of the local water utility system. Coppler & Mannick, P.C., served as issuer's counsel and co-bond counsel on those bond issues. Mr. Appel also serves as general counsel for a number of New Mexico municipalities, water and sanitation districts, and other local governmental bodies.

All lawyers in our firm are presently licensed to practice by the State of New Mexico and are in good standing with the State Bar of New Mexico. Gerald Coppler is also licensed to practice in Texas and Nancy Nickerson in California. Our firm practices as a for profit professional corporation and we have been located at the above address for 25 years.

Frank Coppler has been admitted to practice for 35 years, Paul Mannick for 15 years, Gerald Coppler for 14 years, Nancy Nickerson for 17 years (since 1996 in N.M.), and John Appel for 6 years.

All attorneys in our office have sufficient knowledge of the law of the State of New Mexico and the United States and the Common Law, particularly with respect to Municipal Law, administrative and regulatory matters, court procedures and rules of evidence in order to competently advise and represent Alto Lakes Water And Sanitation District. All of the attorneys in our office have the ability to analyze issues, evaluate and organize facts and evidence, use the law library effectively, evaluate and ascertain applicable precedent and present such material in a clear, concise and logical form for oral or written presentation to the Alto Lakes Water And Sanitation District, media, courts, administrative agencies and any other group, person, or body with whom Alto Lakes Water And Sanitation District shall have contact or dealings. This firm possesses substantial and demonstrable knowledge and experience in the areas of: municipal,

county and state government; governmental finance and contracting; procurement; advising local officials; acting as local public body attorney; drafting ordinances, statutes and regulations; land use planning and zoning; historic and prehistoric preservation; environmental law; intergovernmental affairs; legislative lobbying; dealings with the Association of Counties, New Mexico Municipal League; and the prosecution of litigation.

No attorney in this five-lawyer firm has been disbarred, disciplined or even reprimanded in the course of their professional practice. Our firm is well staffed and equipped with the latest electronic law library including access to the Westlaw® computer database, a law library of 1,000 volumes, and computer equipment adequate to serve all our clients.

## ***Experience in Municipal Government***

### Firm Governmental Law Case Experience

A brief summary of our litigation background in the area of municipal law follows:

Representing citizens in Eldorado we filed suit against Santa Fe County in the First Judicial District Court to force the County to allow an election on incorporation of Eldorado. By winning that case, we were able to simultaneously force the County to allow the Edgewood election to be held at the same time. **After we formed the Eldorado Area Water and Sanitation District we successfully litigated the condemnation of the water system so that the residents of Eldorado will be able to own and control their own water system.**

Representing the Village of Corrales, we succeeded in a major annexation effort before the Municipal Boundary Commission. As a result, the Village doubled in size. In addition, we won summary affirmance by the Court of Appeals of a Village disciplinary action respecting an employee.

In the area of municipal, administrative and land use law, we successfully represented the Town of Red River in the landmark New Mexico Supreme Court case of Mutz v. Municipal Boundary Com'n, involving the first appellate test of issues surrounding the Boundary Commission method of municipal annexation. The Court ruled for our client, the Town of Red River. Mr. Jake Pierce, Town Manager, may be contacted at (505)770-7137 for an evaluation of our work.

During the firm's representation of the City of Santa Fe, we spent a great deal of time working on land use issues. Perhaps our most satisfying work was in the area of enforcing the Santa Fe City Historic Zoning Ordinance. We were able to convince our District Court and State Supreme Court that the City Ordinance (if amended to specifically so provide) could be enforced even against the State of New Mexico.

In another land mark case, our firm prevailed before the unanimous New Mexico Supreme Court in City of Sunland Park v. Concerned Citizens Ass'n, 110 NM 95 (1990). The case had involved a six-week administrative trial and a series of subsequent appeals finally resulting in a complete victory for our client, the City of Sunland Park. This allowed prosecution of a second action through the Municipal Boundary Commission culminating in a second major victory for the City in Cox v. Municipal Boundary Comm'n, 120 NM 703, 905 P.2d 741 (Ct. of App. 1995) which allowed the City to go back to the District Court and force it to apply the proper standard of review. We then litigated the remaining issues in the District Court and on appeal in Cox v. Municipal Boundary Comm'n, 124 NM 709, 954 P.2d 1186 (1998), we won the final victory for the City and it was granted a tax base of sufficient revenues to provide services to its residents. This entire struggle not only involved difficult legal issues but had a mix of racial politics and state and county interference in the City's fight for economic viability. Mayor Jesus Ruben Segura may be contacted at (505) 589-7565 for an evaluation of our work.

In another crucial annexation case, we successfully represented the City of Rio Rancho in a dispute against the Town of Bernalillo. The Court of Appeals affirmed the result we achieved at trial, gaining 500 acres of new territory for Rio Rancho and establishing in New Mexico the legal doctrine of "prior jurisdiction."

We have successfully litigated (at both trial and appellate levels) several condemnation cases on behalf of the City of Española involving massive new citywide developments. We assumed responsibility for some of those cases only a month before trial and managed to get these cases back on track and salvage victory though they had languished badly for years.

In the area of labor law, we were able to win a District Court trial on behalf of Taos County on an application for declaratory judgment involving the County personnel ordinance as applied to union collective bargaining demands. This case was not appealed by the union.

We frequently handle personnel disputes. In addition to the summary affirmance by the Court of Appeals in our representation of the Village of Corrales, we were successful in winning summary judgments for the Town of Red River affirming personnel actions in both federal and state court.

We won a summary judgment in district court in the first challenge to the Village of Angel Fire's application of its then newly adopted zoning ordinance. The case was important because it set a precedent in that Village for swift, quality legal work against attempted judicial challenges. Our victory was not appealed.

We have recently completed litigation of water and wastewater utility availability in southern Doña Ana County. We litigated on behalf of the City of Sunland Park issues of City growth to the international border crossing, as well as control of the regional water and wastewater systems. These cases involve several hundred million dollars in assets. We recently won a jury verdict on behalf of Sunland in the amount of \$2 million for which the City will receive 2500 Afy of water rights, a water-sewer system with 1100+ customers and access to another 100,000 afy of water rights. You may contact Mayor Jesus Ruben Segura at 589-7565 for his opinion of our performance on behalf of the City.

These examples represent just a few selected matters which we have handled in the area of municipal and administrative law.

In general, we act and have acted as counsel for numerous municipalities and other governmental agencies and have provided ongoing advice and counsel in their routine affairs. These tasks typically include advising governmental bodies as to their rights and responsibilities and giving legal opinions, reviewing contracts, drafting ordinances, and handling litigation.