

**STATE OF NEW MEXICO  
COUNTY OF RIO ARRIBA  
FIRST JUDICIAL DISTRICT**

STATE ETHICS COMMISSION,

Plaintiff,

v.

JOSEPH SHEPARD,

Defendant.

No. \_\_\_\_\_

**COMPLAINT**

1. The Governmental Conduct Act, NMSA 1978, §§ 10-16-1 to -18 (1967, as amended through 2023), requires public officials to treat their positions as a public trust, to refrain from using the powers and resources of public office for private benefit, and to refrain from using government resources for unauthorized purposes. *See* NMSA 1978, §§ 10-16-3(A) (2011), -3.1(C) (2007).

2. Defendant Joseph Shepard, as president of Western New Mexico University (“WNMU”), expended public resources to pursue a private interest.

3. To enforce New Mexico’s Governmental Conduct Act and to deter public corruption and abuse of office, Plaintiff State Ethics Commission brings this civil action.

**PARTIES**

4. Plaintiff State Ethics Commission is an independent state agency established by Article V, Section 17 of the New Mexico Constitution with constitutional and statutory authority to enforce New Mexico’s ethics laws, including the Governmental Conduct Act. *See* N.M. Const. art. V, § 17; NMSA 1978, § 10-16G-9(A)(6), (F) (2021); NMSA 1978, § 10-16-18(B)

(2019). The Commission's place of business is in Bernalillo County. On February 27, 2025, the Commission authorized its staff to bring this civil enforcement action.

5. Upon information and belief, Joseph Shepard is a resident of Rio Arriba County.

### **JURISDICTION AND VENUE**

6. The Court has jurisdiction under Article VI, Section 13 of the New Mexico Constitution.

7. Venue is proper.

### **FACTUAL ALLEGATIONS**

*As WNMU President, Shepard had a practice of authorizing university expenditures from which he benefited that were only loosely connected to university purposes.*

8. Shepard was appointed president of WNMU on April 27, 2011. He served as president until January 15, 2025, when he voluntarily resigned.

9. During his tenure, Shepard lived in the president's house at 500 W. College Ave., Silver City, New Mexico. The house is located on WNMU's campus.

10. As president of WNMU, Shepard effectively acted as the chief executive officer of the university, exercising his power and judgment to increase student recruitment, improve academic outcomes, and push forward capital projects. Department heads, including vice-presidents of the university and other senior staff, reported directly to Shepard.

11. As president, Shepard had wide latitude to authorize university expenditures for university purposes and, during his tenure as WNMU president, he benefited from university expenditures that were, at best, only loosely connected to any WNMU purpose.

12. In a publicly issued letter of concern, the Office of the State Auditor ("OSA") subjected many of expenditures of public money that Shepard either authorized or benefited from to withering scrutiny:

a. In 2019, Shepard expended university funds to travel to Zambia to sign a memorandum of understanding and, in 2021, he expended university funds to travel to Spain to sign an agreement, both ostensibly with the purpose to increase international student enrollment. Ex. 1, Office of the State Auditor, Letter of Concern at 6–7 (Nov. 18, 2024). *See also* Ex. 2, WNMU docs re. Shepard’s Zambia trip (Aug. 14, 2019), *and* Ex. 3, WNMU docs re. Shepard’s Spain trip (July 7, 2021).

b. In 2023, Shepard authorized and expended WNMU funds to travel to Miami, Florida to attend a meeting related to a nonprofit’s preservation of Ernest Hemingway’s former house in Cuba and the author’s legacy in Cuba. Ex. 1, Office of the State Auditor, Letter of Concern, at 6 (Nov. 18, 2024). *See also* Ex. 4, WNMU docs re. Shepard’s Florida trip (Feb. 8, 2023).

c. Under Shepard’s presidency, WNMU spent \$25,578.26 for university staff to travel to, and attend in person, a program at the Ritz Carlton Rancho Mirage, a luxury hotel in Palm Springs, California, so that WNMU staff could ostensibly learn how Ritz Carlton’s “time-tested methodologies foster a culture of personalized service and genuine care.” Ex. 1, Office of the State Auditor, Letter of Concern, at 6 (Nov. 18, 2024).

d. The OSA also scrutinized Shepard for purchasing expensive furnishings from a Santa Fe luxury furniture store for the president’s house, including two seven-foot sofas, custom benches, cushions, pillows, and side tables. Ex. 1, Office of the State Auditor, Letter of Concern at 7–8 (Nov. 18, 2024). *See also* Ex. 5, Seret & Sons Receipts from June 9, 2020 to July 27, 2020.

13. While a university president has wide latitude to authorize university expenditures for university purposes, the Governmental Conduct Act places a limit on the expenditure of public funds for a private purpose.

14. Shepard transgressed that limit.

15. Shepard directed that a WNMU capital project for the construction of a walkway and ramp, which ostensibly would have brought a WNMU building into further compliance with the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12101, *et seq.*, be changed instead to the construction of a walkway and patio for the purpose of hosting events related to his daughter’s wedding.

16. That extended patio and walkway cost WNMU at least \$177,404.83.

***Shepard canceled the planned construction of an ADA ramp for a WNMU property to instead build a patio extension for the purpose of hosting events related to his daughter’s wedding.***

17. In June 2020, Shepard and WNMU received a design from Lloyd and Associates for the development of the area between the president’s residence at 500 West College Avenue and another WNMU building adjacent to the president’s house, located at 502 West College Avenue (“502 Property”). Ex. 6, Eml. from S. Mirando to J. Shepard (June 16, 2020).

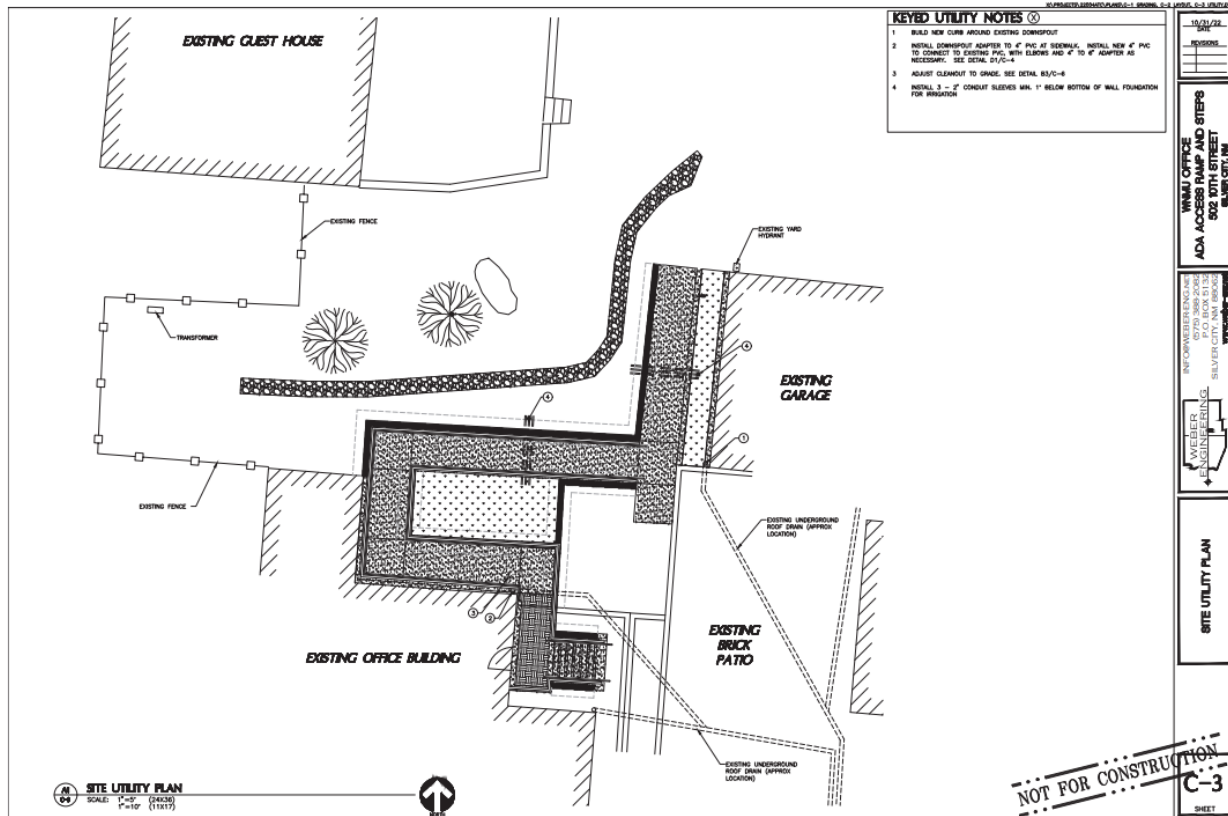
18. The capital project was phased in two parts.

19. Phase one of the capital project, consisting of a large brick patio connecting the President’s house to the 502 Property, was finished in mid-2022.

20. Phase two of the capital project began on October 31, 2022, when WNMU received drawings from Weber Engineering for the construction of an ADA access ramp to the 502 Property, along with the extension of a paved surface connecting the then-existing patio to a driveway for vehicles. Ex. 7, Weber Engineering Plans (Oct. 31, 2022).

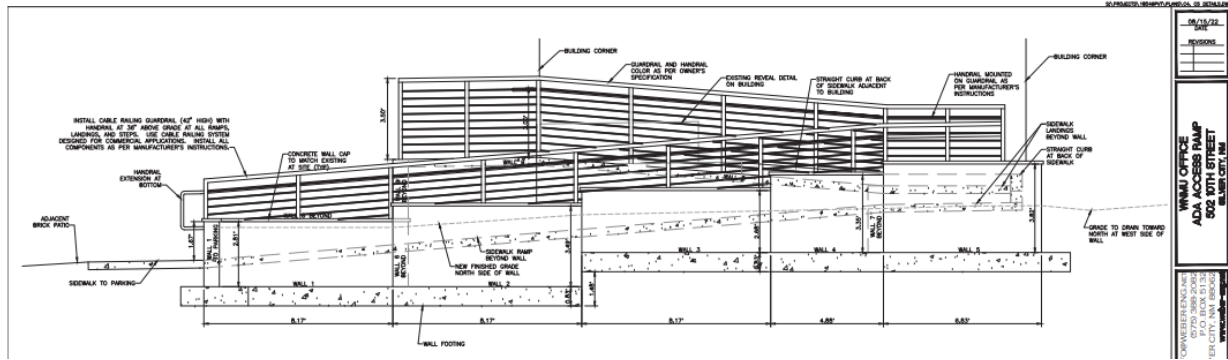
21. Based on the Weber Engineering plans, phase two of the capital project was intended to include an ADA accessibility ramp with minimal landscaping leading from a nearby driveway to both the 502 Property and the then-existing patio. *See id.*; *see also* Figures 1–2, *infra*.

Figure 1.



Ex. 7, Weber Engineering Plans (Oct. 31, 2022).

Figure 2.



*Id.*

22. In early November, Joseph Holguin, WNMU’s capital projects director, was in communication with Rohan Stites, the owner of Stites Enterprises d.b.a. Adobe Techniques, regarding the construction of phase two of the capital project. *See* Ex. 8, Purchase Order #0080212 (Nov. 4, 2025).

23. On November 12, 2022, Shepard learned of his daughter’s engagement. Ex. 9, Txt. from S. Shepard to J. Shepard (Nov. 12, 2022).

24. On November 30, 2022, after learning of her engagement, Shepard began to send videos to his daughter, offering the use of WNMU’s campus for her wedding.

25. In one video, Shepard walks through phase one of the capital project, saying that a patio expansion near to the 502 Property would be done in time for the wedding, suggesting the area as a potential venue for wedding related events, and conveying that hosting the wedding at WNMU would cost his daughter nothing. Ex. 10, Shepard’s video of the patio area (Nov. 30, 2022).

26. It would cost WNMU and the public, however.

27. On or around December 5, 2022, members of the Shepard family canceled wedding-related reservations in Arizona, and Shepard planned that WNMU would be the venue for at least some wedding-related events.

28. In December 2022, Joseph Holguin, WNMU’s capital projects director, learned that Stites could not complete the phase-two project—at that point conceived as a walkway and ADA ramp—for less than \$300,000.00. *See* Ex. 11, Decl. Holguin, ¶ 13; Ex. 12, Eml. from J. Holguin to J. Shepard (Nov. 17, 2022).

29. The \$300,000.00 threshold is significant, because the staff of New Mexico’s Higher Education Department must approve any alterations to university capital projects or site improvements costing over \$300,000.00. *See* 5.3.10.8(C)(4)(b)(i) NMAC.

30. Shepard sought to build phase two of the patio project without oversight by the Higher Education Department. *See* Ex. 13, Eml. from J. Holguin to J. Shepard, at 2 (Dec. 5, 2022) (“Revised pricing 11/29/22 totaling \$298,816.93. Leaves no room for changes.”).

31. Shortly after Holguin learned that Stites could not complete the phase-two project for less than \$300,000.00, on or around December 16, 2022, Holguin was directed to reduce the scope of the project to the sidewalk connecting a driveway to the extant patio and a retaining wall to protect the sidewalk from erosion. *See* Ex. 14, Eml. from J. Holguin to J. Shepard, at 1–2 (Dec. 16, 2022).

32. Yet, not long after that direction, the scope of the capital project grew to include not only a walkway but also an extended patio adjacent to the 502 Property for the purpose of hosting wedding-related events.

33. In January 2023, Shepard began to call Holguin almost daily, requesting status updates, insisting at one point that the project needed to be finished quickly “because he [Shepard] only had one daughter.” Ex. 11, Decl. Holguin, ¶¶ 14–15 (May 9, 2025).

34. Further, in one of these conversations, Shepard told Holguin that the patio needed to be completed in time for his daughter’s wedding in mid-May. *Id.* ¶¶ 15–16.

35. Accordingly, on January 7, 2023, in a project update sent to Shepard, Holguin referred to the completion of phase two as a priority, no longer referring to the project as Holguin had as the “502 ADA ramp,” but rather as the “502 *patio*/ADA ramp.” Ex. 15, Eml. from J. Holguin to J. Shepard, at 3 (Jan. 7, 2023) (emphasis added).

36. On January 16, 2023, WNMU selected Bradbury Stamm to execute the construction work for the extended patio adjacent to the 502 Property. *See* Ex. 16, Eml. from J. Holguin to J. Shepard, at 2. (Jan. 16, 2023).

37. On March 2, 2023, WNMU processed a purchase order for Bradbury Stamm Construction for \$177,404.83 for the extended patio adjacent to the 502 Property. Ex. 17, Purchase Order #008745 (Mar. 2, 2023).

38. The March 2, 2023 purchase order for Bradbury Stamm does not refer to an ADA ramp for the 502 Property, nor does it refer to only a sidewalk and retaining wall; rather, the purchase order refers to the “502 Patio Walkway Construction.” *Id.*

39. Between October 31, 2022, the date of the Weber Engineering Plans, and March 2, 2023, the date of the Bradbury Stamm purchase order, Shepard directed a change in the phase-two construction project from an ADA ramp for the 502 Property to an extended patio, which he would use to host events related to his daughter’s wedding.

40. Upon information and belief, the funding for the patio extension was public money, originating from a legislative appropriation earmarked for instruction (e.g., faculty salaries and materials) and other general purposes (e.g., capital projects improving classrooms). *See, e.g.*, 2023 N.M. Laws, ch. 210, § 4(J) (HB 2).

***Shepard micromanaged the patio construction project in advance of the wedding.***

41. In April 2023, Shepard’s daughter changed her wedding website to say that the “502 patio” would be used for a welcome event the night before the wedding, and for cake and dancing after the wedding. *See* Ex. 18, Wedding Schedule.

42. On or around April 18, 2023, Shepard began to micromanage the construction of the extended patio adjacent to the 502 Property in advance of the wedding and to demand additional costs. *See* Ex. 11, Decl. Holguin, ¶¶ 21–34.

43. Shepard exercised personal control over numerous construction decisions—including grading changes, utility line adjustments, custom landscaping, and new brickwork—all of which incurred additional costs and further departed from the original ADA-focused plan.

44. Shepard’s management of the project included the following:

a. On or around April 16 or 17, 2023, Shepard went directly to Bradbury Stamm to request additional power pedestals (elevated outdoor power outlets) to the surrounding patio. To accommodate Shepard’s request, new utility lines needed to be trenched and installed. Ex. 19, Emls. from J. Holguin to K. Riddle, at 3 (Apr. 18–25, 2023).

b. On or around April 18, 2023, Shepard directed Bradbury Stamm to change the site grading. *Id.* at 3. The change in site grading led to numerous sewer breaks, requiring WNMU’s facilities department to repair the line. *Id.* at 2.

c. Shepard directed the WNMU horticulturalist to ship in grass from Arizona for installation around the patio. *Id.* at 3.

d. On or around April 20, 2023, Shepard requested new brickwork, which was added for the project. *Id.* at 1. The extra brickwork exhausted the amount of brick the

university had on hand, and Holguin needed to order more as well as direct Bradbury Stamm to submit a change order reflecting the extra labor. *Id.* at 1.

e. Also on or around April 20, 2023, Shepard directed Holguin and the facilities department to drop utility lines deeper into the earth, leading to conflicts between WNMU employees and Bradbury Stamm employees. *Id.* at 2.

f. On or around April 25, 2023, per Shepard's direction, two trees in the area were removed. Shepard then asked for six new trees to be planted. *Id.* at 1.

g. Shepard instructed the addition of even more brickwork and new gravel for the driveway. *Id.* at 1.

45. The extra power pedestals, brick work, landscaping (removing trees and planting new grass), and gravel installation all fell outside of the original scope of the construction project, but were added, on Shepard's direction, to create a venue for his daughter's wedding.

46. Shepard took an especially involved role in managing the construction of a patio to ensure that all construction and landscaping would be finished by the time of the wedding.

***With respect to the wedding and the patio, Shepard continued the practice of identifying ostensible WNMU purposes to justify expenditures of public funds that were, in fact, intended for a private benefit.***

47. With respect to WNMU expenditures for the wedding, Shepard continued the practice that the OSA's letter of concern highlighted: identifying ostensible WNMU purposes to justify expenditures of public funds that were really intended for a private benefit. *See* Ex. 1, Office of the State Auditor, Letter of Concern at 6–7 (Nov. 18, 2024).

48. For example, during the preparation for the wedding, Shepard communicated to WNMU staff that he should not have to reimburse WNMU expenditures that were made for the wedding if they could be used for other WNMU purposes, such as fundraising or graduation.

49. Furthermore, during a meeting with WNMU staff about the wedding, Shepard told WNMU staff members that if anything Shepard purchased for the wedding could be used for university fundraising, he should not have to pay for it.

50. On another occasion, at a dinner in Santa Fe during the 2023 legislative session, during a conversation about a WNMU purchase order for flowers for the wedding, Dr. Shepard directed a WNMU employee to say that the “flowers are for graduation, not . . . the wedding[,]” and that “[n]o one w[ould] know the difference.” Ex. 20 Decl. Hemphill ¶ 16.

51. But WNMU staff knew the difference. WNMU employees generally understood that Shepard directed expenditures, including the construction of the extended patio adjacent to the 502 property, for the purpose of hosting wedding-related events.

52. For example, On April 19, 2023, Holguin communicated his confidence that the project would “be completed for the wedding reception,” even if not for graduation. Ex. 19, at 2–3.

***As Shepard intended, the patio was completed before the wedding, and wedding-related events were held on the 502 patio.***

53. Indeed, on May 12, 2023, the night before the wedding, the wedding guests enjoyed a reception on the newly finished patio.

54. On May 13, 2023, after holding the wedding ceremony and dinner in different locations on campus, the wedding party returned to the newly constructed patio to enjoy cake and dancing. *See* Ex. 18, Wedding Schedule.

55. The construction of an extended, landscaped patio, completed weeks, if not days, before his daughter’s wedding, was not a coincidental outcome of collateral capital-expenditure decisions that Shepard took as WNMU president.

56. Rather, Shepard directed the construction of the extended patio adjacent to the 502 Property, in lieu of an ADA-compliant ramp, for the purpose of hosting events related to his daughter's wedding.

57. Upon information and belief, WNMU has yet to construct an ADA-compliant ramp for the 502 Property, as originally intended in phase two of the construction project.

**Count I: Violations of Section 10-16-3(A) of the Governmental Conduct Act**

58. The Commission incorporates by reference the foregoing paragraphs of this complaint, as though fully set forth herein.

59. Section 10-16-3(A) of the Governmental Conduct Act requires that a public officer "shall treat the . . . public officer or employee's government position as a public trust," and prohibits a public officer from "us[ing] the powers and resources of public office . . . to obtain personal benefits or pursue private interests."

60. During all relevant times, as WNMU president, Shepard was a public officer.

61. Shepard used the powers and resources of his office as WNMU president to, at a minimum, redirect a construction project from an ADA-compliant ramp for WNMU's 502 Property to, instead, an extended patio for the purpose of hosting events related to his daughter's wedding.

62. Shepard used the powers and resources of his public office to obtain personal benefits or pursue private interests, in violation of Section 10-16-3(A).

**Count II: Violations of Section 10-16-3.1(C) of the Governmental Conduct Act**

63. The Commission incorporates by reference the foregoing paragraphs of this complaint, as though fully set forth herein.

64. Subsection 10-16-3.1(C) of the Governmental Conduct Act states: “A public officer or employee is prohibited from . . . violating the officer’s or employee’s duty not to use property belonging to a state agency or a local government agency or allow its use for other than authorized purposes.”

65. During all relevant times, Shepard was a public officer, and WNMU is a state agency under the Governmental Conduct Act.

66. Shepard breached his duty not to use WNMU property for unauthorized purposes by, at a minimum, expending university funds appropriated for instruction and faculty support to enlarge a patio to host his daughter’s wedding.

67. No law, regulation, rule or policy of either the State of New Mexico, HED, or WNMU authorizes the expenditure of public funds to build a capital project to host a personal event.

68. Shepard used property belonging to WNMU for other than authorized purposes, in violation of Section 10-16-3.1(C).

### **REQUEST FOR RELIEF**

WHEREFORE, the State Ethics Commission respectfully requests the Court to enter relief as follows:

- i. Civil penalties in the amount of two-hundred-fifty dollars (\$250) for each of Shepard’s violations of the Governmental Conduct Act, not to exceed five-thousand dollars (\$5,000), pursuant to NMSA 1978, § 10-16-18(B);
- ii. Any other appropriate order under the Governmental Conduct Act, as authorized by NMSA 1978, § 10-16-18(B), requiring Shepard to pay restitution to WNMU

for costs associated with the construction of an extended patio instead of an ADA-compliant ramp for the 502 Property;

- iii. Assessment of costs under NMSA 1978, § 34-6-40.1 (1989); and
- iv. Such other relief as the Court deems just and proper.

Respectfully submitted,

/s/ Jeremy Farris

Jeremy Farris

Connor G. Woods

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*Counsel for the State Ethics Commission*



**EXHIBIT**

**1**

**State of New Mexico  
Office of the State Auditor**

**FOR IMMEDIATE RELEASE (11.19.24)**

**Western New Mexico University Faces Financial Oversight Challenges**

**Santa Fe, NM** –The Office of State Auditor, Special Investigations Division (SID) recently concluded its examination of allegations asserting that Western New Mexico University's engaged in the waste of public funds. Expenditures related to procurement and travel during the period of July 1, 2018, through June 30, 2023 ("the period"), including specific examples noted within the allegations, were examined. Several instances of wasteful spending and improper use of university funds were found during the investigation.

The OSA found that University management and Board failed to uphold their fiduciary responsibilities, by neglecting to adhere to the corresponding elements as established in the University's policies, procedures, and rules regarding travel, per diem, and procurement.

The OSA's examination included:

- \$214,261.91 worth of spending covering 402 instances of domestic and international travel and lodging for university staff and leadership found to be noncompliant with university policies and rules.
- \$149,264.08 worth of spending covering 91 instances of procurement and university credit cards (P-card by the University President including the procurement of high-end custom furnishings for the President's official residence which was also found to be non-compliant.
- Providing expense accounts and purchasing cards to a non-university employee.

These allegations were the focus of sensitive information provided by another state agency, discussed during university leadership testimony before State legislative bodies, publicized in media coverage, and included in constituent complaints filed with the OSA.

*"Effective governance is crucial in setting the tone at the top, embracing accountability and transparency, and ensuring that all employees understand the importance of these controls and adhere to them diligently," said State Auditor Joseph Maestas. "Without strong and committed leadership to reinforce the internal control system, the university remains at significant risk for fraud, waste, and abuse."*

*State Auditor Joseph Maestas emphasized the importance of these measures: "Effective governance and robust internal controls are essential to prevent waste and abuse of public funds. WNMU's commitment to improving its financial oversight is a critical step in safeguarding taxpayer dollars and maintaining public trust."*

Media Contact:

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###30###



## State of New Mexico Office of the State Auditor

November 18, 2024

Western New Mexico University  
1000 W. College Ave.  
Silver City, NM 88061

**Sent via Electronic Mail Only:**

Dr. Mary E. Hotvedt, President, Board of Regents  
Western New Mexico University  
Email: maryhotvedt@aol.com

RE: Letter of Concern  
Western New Mexico University Procurement and Travel Expenditures –  
Waste of Public Resources

Dear President Hotvedt,

The Office of the State Auditor (“OSA”) has conducted a fact-finding examination into several allegations asserting that Western New Mexico University (“WNMU” or “the University”) engaged in the waste<sup>1</sup> of public funds through:

- excessive or extravagant domestic and international travel and lodging for the University staff, leadership, and governance,
- improper use of procurement and university credit cards (P-card), including the procuring of high-end custom furnishings for the University President’s official residence; and,
- providing expense accounts and purchasing cards to a non-University employee.

These allegations had been publicly reported in media accounts, discussed during university leadership testimony before State legislative bodies, and included in constituent complaints submitted to the OSA. Related information was also provided to the OSA by State oversight agencies.

The OSA’s examination was conducted by its Special Investigations Division (SID). SID examined the University’s expenditures related to procurement and travel during the period of July 1, 2018, through June 30, 2023 (“the period”), including specific examples noted within the allegations. Our examination reviewed the University’s travel and per diem processes and

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<sup>1</sup> As defined in the Audit Rule Section 2.2.2.7W NMAC, “[w]aste includes, but is not limited to, the act of using or expending resources carelessly, extravagantly, or to no purpose. Importantly, waste can include activities that do not include abuse. Rather waste relates primarily to mismanagement, inappropriate actions, and inadequate oversight. Waste does not necessarily involve fraud or illegal acts. However, waste may be an indication of internal control weakness, non-compliance, fraud, or illegal acts.”

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expenditures during the period and tested them for compliance with established internal controls designed to aid the University in complying with laws, regulations, and university policies, promoting accountability, and preventing fraud. Internal controls, when properly designed and implemented, help improve operational efficiency, ensure budgets are adhered to, policies are followed, and ensure proper governance.

Our examination of the travel and procurement expenditures found a concerning lack of compliance with established university policies during the period. (*See Enclosure*) Noncompliance with the provisions of university policy negatively impacts the effectiveness of any comprehensive and rigorous review and approval process the University's management and governing body might exercise over expenditures of public funds by the University for travel requests, travel reimbursements, and purchase card usage.

Our examination found that the travel requests and travel reimbursements provided by WNMU for the University President and members of the Board of Regents during the period, were consistently noncompliant with university policies. They were found to be lacking required documentation, were incomplete or erroneous, were prepared, signed, and submitted by someone other than the designated traveler, or exceeded approved reimbursement amounts, among other noncompliance. Our examination of the use of the University's credit card as part of the University President's and Board of Regents' travel during the period noted several transactions where disallowed items such as meals, alcohol, and hotel room service, were purchased. Further, our examination of travel documentation in instances of university staff and faculty travel identified similar noncompliance with university policies, as noted herein.

Our examination found that the use of a university credit card to purchase high-end custom furniture by the University President, was contrary to university policies regarding use of credit cards to purchase tangible goods of \$1500 or more, and the purchase of furniture with a value of \$1000 or higher requiring a purchase order or requisition. Further, it was found that exception to, or the deviation from university policy to allow these purchases, had not been approved by the Board of Regents.

The misuse of the P-card by the University's President identified as part of our examination, was contrary to both established university policy and the contractual agreement laid out in the President's employment contract with the University wherein contract language specifies he would, "...at all times faithfully, industriously, and with the best use of his experience, ability and talent, perform all of the duties required pursuant to the terms of this Employment Agreement and the University's official policies, and assigned by the Board...". Additionally, the University's leadership appears to be in violation of its own Code of Conduct, which in part states, "...employees of the University shall maintain the highest standards of business ethics in transactions with the University, the State, Federal, and local governments, and with the public...".

There is an appearance of management overreach and a lack of a strong “tone at the top”<sup>2</sup> at the University. Without the proper example being set by the University’s management and Board, which is fundamental to an effective internal control system, any disincentives for university employees to engage in inappropriate or extravagant travel spending, are limited or removed. Further, University management and Board failed to uphold their fiduciary responsibilities, by neglecting to adhere to the corresponding elements as established in the University’s policies, procedures, and rules regarding travel, per diem, and procurement.

The governing body’s lack of proper oversight and management’s non-compliance with policies and procedures, resulted in the waste of public funds and resources entrusted to the university. According to the Board of Regents Manual, “...management and control of the University are vested in the Regents...”. Further, “...all decisions and actions of the President must be in accordance with general policies approved by the Board of Regents and are subject to the right of the Board to intervene...”.

The OSA is encouraged that since these concerns were first publicly revealed, WNMU’s governing body and management have taken proactive steps to strengthen the University’s internal control structure as well as engage in an external forensic special audit to further review these and related issues.

Complacency or indifference to oversight not only exposes the University’s governing body and leadership to the threat of further waste, but it also opens the door for potential fraudulent acts to occur, each of which negatively impacts the university and its finances.

The OSA recommends that the University incorporate, if not having already done so, an internal review of cost disparities, cost control measures, and adequate documentation into its travel approval, travel reimbursement, and use of P-card processes, like those requirements necessary for any other expenditure of public funds for the purchase of goods or services. This will help address and limit any future potential waste of public funds by WNMU.

Finally, without strong and committed leadership to reinforce the internal control system, the university remains at significant risk for fraud, waste, and abuse. Effective governance is crucial in setting the tone at the top, embracing accountability and transparency, and ensuring that all employees understand the importance of these controls and adhere to them diligently. Without this, even the best policies and procedures may fail to prevent waste of public funds.

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<sup>2</sup> As defined in the Government Audit Standards for Internal Control in the Federal Government Green Book, Section 1.03, “The oversight body and management lead by an example that demonstrates the organization’s values, philosophy, and operating style. The oversight body and management set the tone at the top and throughout the organization by their example, which is fundamental to an effective internal control system.” Section 1.05, “Tone at the top can be either a driver...or a barrier to internal control. Without a strong tone at the top to support an internal control system, the entity’s risk identification may be incomplete, risk responses may be inappropriate, control activities may not be appropriately designed or implemented, information and communication may falter, and results of monitoring may not be understood or acted upon to remediate deficiencies.”

**Office of the State Auditor**

Western New Mexico University

November 18, 2024

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Sincerely,

Joseph M. Maestas, PE, CFE

New Mexico State Auditor

cc: Dr. Lyndon Haviland, Vice President, WNMU Board of Regents  
(lyndon@sent.com)

Mr. Trent Jones, Student Regent, Secretary/Treasurer, WNMU Board of Regents  
(tjones2@wnmu.edu)

Dr. Daniel H. Lopez, Member, WNMU Board of Regents  
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Mr. Dalva (Dal) Moellenberg, J.D., Member, WNMU Board of Regents  
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Dr. Joseph Shepard, President, WNMU (Joseph.Shepard@wnmu.edu)

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Jeremy Farris, DPhil, J.D., Executive Director, NM State Ethics Commission  
(Jeremy.Farris@sec.nm.gov)

Ricky A. Bejarano, CPA, CGMA, Deputy State Auditor, OSA,  
(Ricky.Bejarano@osa.nm.gov)

Shawn Beck, CFE, Special Investigations Director, OSA (Shawn.Beck@osa.nm.gov)

Enclosure: WNMU Noncompliance

File #: NMOSA-2024-12-04-128

***WNMU Noncompliance***

**TRAVEL**

As part of our examination, the OSA requested and analyzed all supporting documentation maintained by the university related to the university President's and the members of the University's Board of Regents ("Regents"), domestic and international travel during the period. WNMU provided the OSA with documentation for a total of 138 instances of travel by the university President equaling an expenditure of \$140,610.75, and documentation for a total of 264 instances of travel by the Regents equaling an expenditure of \$73,651.16, during the period. Examples of the university President's and Regent's travel found to be noncompliant with university policies and rules include the following observations:

- Travel was undertaken by the President *without* the proper travel request submission and subsequent oversight pre-approval by governance.
- Travel was undertaken by Regents *without* travel requests or submitted untimely and without justification for good cause.
- Travel requests for the President were either *not submitted* by the President for governance review/approval in a timely manner prior to travelling or were submitted *after* the travel began.
- Travel was undertaken by Regents utilizing *incomplete* and/or *unauthorized/unapproved* travel requests and travel vouchers.
- Travel vouchers for the President's travel were not submitted in a timely manner and were often submitted weeks or months *after* the travel ended.
- Travel undertaken by Regents where purchase orders were dated *after* travel dates and missing purchasing office approval.
- Travel reimbursements requested by the President or Regents and subsequently paid by the university, either *exceeded* the total amounts reflected in the respective purchase orders or *were not listed* on the purchase order.
- Travel undertaken by the President was *missing* required documentation for mileage and/or conference registrations.
- *Incomplete* or *incorrectly calculated* travel vouchers or vouchers *missing* documentation submitted by Regents for travel.
- Regent travel vouchers having *differing* travel dates than their associated travel requests and instances of hotel cancellations resulting in loss of refunds, justified without good cause.
- Travel requests *not* completed and submitted by appropriate requestor (university President) but delegated to another university employee.
- Travel undertaken by the university President, and paid for by the university, appearing to be *unrelated to official university business*. These included trips related to other non-educational organizations which the President is affiliated, such as the Finca Vigia Foundation, dedicated to saving author Ernest Hemingway's Cuban legacy, and for conferences and events where his spouse was a guest speaker such as the Simmons Leadership Conference, established for women's leadership and business.

## Office of the State Auditor

Western New Mexico University

November 18, 2024

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- International travel taken by the university President and/or Regents *lacking any documentation* articulating the business need, purpose, justification, or authority for the travel.
- *Travel upgrades* for seating and amenities on international and domestic travel taken by the university President and/or Regents *lacking any documentation* articulating the business need or purpose justification or authority for the upgrades.
- Lodging upgrades and meal expenditures on international and domestic travel taken by the university President and/or Regents *lacking any documentation* articulating the business need or purpose justification or authority for the upgrades.

The OSA also included as part of its examination, a complaint to review travel documentation for university staff and faculty attending out-of-state programs at the Ritz Carlton Leadership Center in Rancho Mirage, California. According to our review, the university spent a total of \$25,578.26 for university staff to travel to, and attend in person, “A Culture of Excellence-Building Success from Within”, a program designed to share The Ritz-Carlton’s, “best practices on how to activate and sustain a culture where valued and empowered employees own the customer experience”, and “Brand Differentiating Service-Delivering an Elevated Experience”, where attendees “learn(d) how our (The Ritz-Carlton) time-tested methodologies foster a culture of personalized service and genuine care”.

SID noted as part of their examination, this travel expenditure could have been reduced or eliminated, as both programs were also available virtually from the vendor, at a potentially lower price point than the on-site cost, and without the need for out-of-state travel.

Examples of university staff and faculty travel which were found to be noncompliant with university policies and rules include the following observations:

- Travel vouchers were either *not properly approved* or *did not demonstrate* the proper approvals.
- Travel vouchers were either *missing* or *were not provided* by the university.
- Travel requests and travel vouchers *were not submitted* in a timely manner after travel had ended.
- Travel undertaken where required mileage documentation was *missing*.
- Travel undertaken where documentation of conference registrations was *missing*.

### **PROCUREMENT**

Based on the concerns previously noted, the OSA also examined procurement and use of purchase cards (P-card) by the university President and Regents during the period.

The OSA requested all documentation related to specific high end furniture purchases as well as reviewing related P-card purchases made during the above noted instances of travel made by the President. WNMU provided the OSA with documentation for a total of 91 instances of P-card use by the university President equaling a total expenditure of \$149,264.08, during that time.

Examples of university procurement and use of purchase cards which were found to be noncompliant university policies and rules include the following observations:

- The procurement of high-end customized furniture for the university President’s official residence was in contradiction of established university policies regarding use of credit cards to purchase tangible goods of \$1500 or more, and the purchase of furniture with a

value of \$1000 or higher requiring a purchase order or requisition. The furniture was purchased utilizing a P-card issued to the President, and at least one purchase, totaling over \$17,000, was verbally approved by the Chief Procurement Officer on the same day of the purchase, without a required purchase order or requisition in place as required by university policy. It was noted that any exception to, or the deviation from university policy to allow these purchases, had not been approved by the Board of Regents. Further, it was noted that two additional purchases were made from the same vendor for additional furniture the month following the initial purchase again without a required purchase order or requisition in place. The total \$24,740 combined purchase cost for the furniture exceeded the University's small purchase \$20,000 threshold requiring three identical written quotes from three different vendors. The structuring of related purchases in this manner, gives rise to the appearance these purchases were conducted separately to not require the University President to obtain three written quotes for the furniture as required by university policy. Such structuring would further be in violation of the Procurement Code, §13-1-28 through §13-1-199 NMSA 1978.

- Several instances where P-card transactions included the purchase of alcohol, food or room service during the university President's travel. The university's P-card agreement disallows the purchase of these items, as such purchases are paid for using public monies. However, it was noted in our examination that the university sought and was subsequently reimbursed for the disallowed purchases with private funds by the university's Foundation. By allowing these transactions to occur in this manner, the University appears to have affirmatively disregarded its policy and allowed the initial use of public university funds rather than private foundation funds for the purchase of goods or services unallowed per the P-card agreement.
- A P-card was issued to, and used by, the President's spouse who is a non-employee of the university. The University's purchasing card holder agreement applies to university employees, requires approval of their supervisor, and any violation of the agreement references sanctions which can only be enforced on university employees.



**WESTERN**  
NEW MEXICO UNIVERSITY

**EXHIBIT**  
**2**

**!0013240**

Deposit Date  
08/14/19

\* DIRECT DEPOSIT ADVICE \* NOT A CHECK \* DO NOT CASH \*

\*\*\*\*\*1,108.00

DEPOSIT IN THE ACCOUNT OF:

Dr. Joseph Shepard  
PO Box 1694  
Silver City NM 88062

**VOID - NON-NEGOTIABLE**  
**DIRECT DEPOSIT ADVICE**

Approved \_\_\_\_\_

Treasurer of Board of Regents

Western New Mexico University - General Account

| PO<br>NUMBER      | INVOICE    |                 | GROSS<br>AMOUNT | DISCOUNT          | ADDITIONAL<br>CHARGES | NET<br>AMOUNT     |
|-------------------|------------|-----------------|-----------------|-------------------|-----------------------|-------------------|
|                   | NUMBER     | DATE            |                 |                   |                       |                   |
| P0074879          | JS07051419 | 07/25/19        | 404.00          | .00               | .00                   | 404.00            |
| P0074880          | JS07232419 | 08/07/19        | 387.50          | .00               | .00                   | 387.50            |
| P0074739          | JS07141719 | 08/07/19        | 316.50          | .00               | .00                   | 316.50            |
| DEPOSIT<br>NUMBER |            | DEPOSIT<br>DATE | TOTAL<br>GROSS  | TOTAL<br>DISCOUNT | TOTAL ADDL<br>CHARGES | DEPOSIT<br>AMOUNT |
| !0013240          |            | 08/14/19        | 1,108.00        | .00               | .00                   | 1,108.00          |

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## MRM Approval

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Mary Rae McDonald (botellom@wnmu.edu) had filled out the following travel voucher.

| Employee Travel Voucher                                                                                                                                                                                                                  |                                                                           |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Travel Information                                                                                                                                                                                                                       |                                                                           |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
| Date:                                                                                                                                                                                                                                    | Thu Jul 25 17:44:26 MDT 2019                                              |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
| Name:                                                                                                                                                                                                                                    | Joseph Shepard                                                            |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
| W-Number:                                                                                                                                                                                                                                | W00168981                                                                 |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
| TR#:                                                                                                                                                                                                                                     | TR_JS0705142019                                                           |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
| Address:                                                                                                                                                                                                                                 | PO Box 1694 Silver City, NM 88062                                         |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
| PO#:                                                                                                                                                                                                                                     | P0074879                                                                  |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
| Account Numbers:                                                                                                                                                                                                                         | 11000-1010-72401 - International Mileage-131                              |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
|                                                                                                                                                                                                                                          | 11000-1010-72402 - International Meals and Lodging-131                    |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
|                                                                                                                                                                                                                                          | 11000-1010--131                                                           |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
| Purpose of Travel:                                                                                                                                                                                                                       | Zambia as part of MOU                                                     |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
| Depart From                                                                                                                                                                                                                              | Date / Time                                                               | Arrive At       | Date / Time                                                                                                                                                                                                                                                                                                                          | Means of Conveyance |
| Albuquerque, NM                                                                                                                                                                                                                          | 07/05/2019 1:00pm                                                         | ABQ Sunport     | 07/05/2019 1:15pm                                                                                                                                                                                                                                                                                                                    | Personal Vehicle    |
| ABQ Sunport                                                                                                                                                                                                                              | 07/05/2019 2:00pm                                                         | IAH Houston, TX | 07/05/2019 5:06pm                                                                                                                                                                                                                                                                                                                    | Airplane            |
| IAH Houston, TX                                                                                                                                                                                                                          | 07/05/2019 7:55pm                                                         | Dubai DXB       | 07/06/2019 7:45pm                                                                                                                                                                                                                                                                                                                    | Airplane            |
| Dubai DXB                                                                                                                                                                                                                                | 07/07/2019 9:25am                                                         | LUN Lusaka      | 07/07/2019 2:35pm                                                                                                                                                                                                                                                                                                                    | Airplane            |
| Lusaka                                                                                                                                                                                                                                   | 07/07/2019 2:45pm                                                         | Lusaka          | 07/11/2019 6:30am                                                                                                                                                                                                                                                                                                                    | Rented Vehicle      |
| Lusaka LUN                                                                                                                                                                                                                               | 07/11/2019 7:00am                                                         | Kasama          | 07/11/2019 8:30am                                                                                                                                                                                                                                                                                                                    | Charter Airplane    |
| Kasama                                                                                                                                                                                                                                   | 07/11/2019 8:35am                                                         | Kasama          | 07/12/2019 12:30pm                                                                                                                                                                                                                                                                                                                   | Rented Vehicle      |
| Kasama                                                                                                                                                                                                                                   | 07/12/2019 1:00pm                                                         | Lusaka          | 07/12/2019 2:30pm                                                                                                                                                                                                                                                                                                                    | Charter Airplane    |
| Lusaka                                                                                                                                                                                                                                   | 07/12/2019 2:45pm                                                         | Lusaka          | 07/13/2019 5:30am                                                                                                                                                                                                                                                                                                                    | Rented Vehicle      |
| Lusaka                                                                                                                                                                                                                                   | 07/13/2019 6:00am                                                         | Livingstone     | 07/13/2019 7:30am                                                                                                                                                                                                                                                                                                                    | Charter Airplane    |
| Livingstone                                                                                                                                                                                                                              | 07/13/2019 6:30pm                                                         | Lusaka          | 07/13/2019 7:30pm                                                                                                                                                                                                                                                                                                                    | Airplane            |
| LUN Lusaka                                                                                                                                                                                                                               | 07/13/2019 9:25pm                                                         | DXB Dubai       | 07/14/2019 6:30am                                                                                                                                                                                                                                                                                                                    | Airplane            |
| Claims                                                                                                                                                                                                                                   |                                                                           |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
| Additional Claims to Per Diem and Primary Transportation:                                                                                                                                                                                |                                                                           |                 | DBX on 7/14 at 9:35 am to IAH on 7/14 at 5:00 pm by airplane.<br>IAH on 7/14 at 5:10 pm to Hobby on 7/14 at 6:00 pm by taxi.<br>Hobby on 7/14 at 7:35 pm to ABQ Sunport on 7/14 at 10:30 pm by airplane. - End.<br>Breakfast for 5 days at \$20 per day = \$100 (on p-card).<br>Complimentary Hotel for 7/6 Overnight Stay in Dubai. |                     |
| I hereby certify that the information stated above is correct and complete, that all transportation expenses and per diem periods incurred while not on University business are so indicated and that no part of the same has been paid. |                                                                           |                 |                                                                                                                                                                                                                                                                                                                                      |                     |
| Signature:                                                                                                                                                                                                                               | Joseph Shepard/mrm (Name here signifies agreement to the above statement) |                 |                                                                                                                                                                                                                                                                                                                                      |                     |

Reason For Denial:

|                        |                                           |                          |        |            |
|------------------------|-------------------------------------------|--------------------------|--------|------------|
| ail                    | 9                                         | # Days @                 | 51.00  | 459.00     |
| r                      | 17 1/2                                    | Additional Hours         |        | 45.00      |
| is                     | * Do You Approve This Request?            | less 5 meals for \$20.00 |        | < 100.00 > |
| to                     | <input checked="" type="radio"/> Approved |                          |        |            |
| xi                     | <input type="radio"/> Denied              |                          |        |            |
|                        | Other                                     |                          |        |            |
|                        | Complete                                  | Save & Close             | Cancel |            |
| Total                  |                                           | Total                    |        | 404.00     |
| Expense Classification |                                           | Attach File              |        |            |
| 000-1010-72402         |                                           | Notes:                   |        |            |
|                        |                                           | line 2                   |        |            |
| ed by: VC              |                                           | Total Reimbursement      |        |            |
|                        |                                           | 404.00                   |        |            |

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**WESTERN NEW MEXICO UNIVERSITY**  
**Purchasing Department**

MAILING ADDRESS: PO BOX 680  
SILVER CITY, NEW MEXICO 88062

Voice: (575) 538-6553

Fax: (575) 538-6394

E-mail: purchasing@wnmu.edu

**PURCHASE ORDER**

Number:

**P0074879 - 1 Change**

Purchase order expires on 06/30/2020

Please show this number on all packages and documents related to this order

Date: **07/18/19**

Vendor: W00168981  
Shepard, Joseph  
PO Box 680  
Silver City NM 88062

Ship To: Joseph Shepard  
1000 W College Ave  
Old Student Mem  
Silver City NM 88061

Requisition #:

**INVOICES MUST BE ITEMIZED  
SHOWING QUANTITY, UNIT PRICE AND TOTAL.**  
Email Invoice: invoices@wnmu.edu

Address all correspondence to the Purchasing Department  
**NM TAX EXEMPTION #01-508041-002**

**NO C.O.D ORDERS OR FREIGHT COLLECT ORDERS WILL BE ACCEPTED.  
ONLY SHIP QUANTITIES LISTED UNLESS APPROVED BY PURCHASING DEPARTMENT.**

| Item | Item Description                                                              | Units | Unit Price | Extended Price |
|------|-------------------------------------------------------------------------------|-------|------------|----------------|
| 1    | Mileage JS0705152019<br>Travel expenses to Lusaka, Zambia<br>July 05-15, 2019 | EA    |            | 236.00         |
| 2    | Per Diem                                                                      | EA    |            | 510.00         |

|                                                                 |                    |                |        |
|-----------------------------------------------------------------|--------------------|----------------|--------|
| FOB: FOB Destination                                            | TERMS: Net 30 Days | DISCOUNT:      | .00    |
| GOVERNING LAW: State of New Mexico                              |                    | ADDL. CHARGES: | .00    |
| BUYER: Fatima Jimenez                                           |                    | TOTAL TAXES:   | .00    |
| Director of Materials and Resource Management: <i>Amy Brown</i> |                    | TOTAL:         | 746.00 |

11000-1010-72401-131 \$ .00  
Board of Regents  
11000-1010-72402-131 \$ .00  
Board of Regents



ACCT DATA

ACCT DATA

ACCOUNTS PAYABLE COPY

## Fatima Jimenez

---

**From:** Mary Rae McDonald  
**Sent:** Thursday, August 1, 2019 10:02 AM  
**To:** Fatima Jimenez  
**Cc:** Victoria Chavez; Kimberly Moon  
**Subject:** FW: Travel Voucher Received

Good Morning Fatima,

After a telephone conversation with the Kim, I am requesting to have P0074879 (associated travel voucher below) –org changed. We want all the Zambia travel in 1030 until another org is identified for the Zambia charges.

Please complete change order for P0074879 in order to have accounting correct when Victoria runs travel voucher (below).

With appreciation,

**Mary-Rae McDonald**  
Executive Administrative Assistant  
Office of the President

**WESTERN NEW MEXICO UNIVERSITY**  
m P.O. Box 680 | Silver City, NM 88062  
p 1000 W. College Ave | Silver City, NM 88062  
t 575.538.6239 | f 575.538.6364  
[MaryRae.McDonald@wnmu.edu](mailto:MaryRae.McDonald@wnmu.edu) | [wnmu.edu](http://wnmu.edu)

**From:** workflow <[workflow@wnmu.edu](mailto:workflow@wnmu.edu)>  
**Sent:** Thursday, July 25, 2019 5:46 PM  
**To:** Joseph Shepard <[Joseph.Shepard@wnmu.edu](mailto:Joseph.Shepard@wnmu.edu)>  
**Cc:** Mary Rae McDonald <[MaryRae.McDonald@wnmu.edu](mailto:MaryRae.McDonald@wnmu.edu)>  
**Subject:** Travel Voucher Received

## WNMU WORKFLOW SYSTEM

---

Greetings Joseph Shepard

Your travel voucher for the following has been received by the WorkFlow system.

When this request is processed, you will either receive a completed or denial email.

### *Employee Travel Voucher*

#### Travel Information

Date: Thu Jul 25 17:44:26 MDT 2019

**WESTERN NEW MEXICO UNIVERSITY****Purchasing Department**MAILING ADDRESS: PO BOX 680  
SILVER CITY, NEW MEXICO 88062

Voice: (575) 538-6553

Fax: (575) 538-6394

E-mail: purchasing@wnmu.edu

**PURCHASE ORDER**

Number:

**P0074879**

Purchase order expires on 06/30/2020

Please show this number on all packages and documents related to this order

Date: **07/18/19**Vendor: W00168981  
Shepard, Joseph  
PO Box 680  
Silver City NM 88062Ship To: Joseph Shepard  
1000 W College Ave  
Old Student Mem  
Silver City NM 88061

Requisition #:

INVOICES MUST BE ITEMIZED  
SHOWING QUANTITY, UNIT PRICE AND TOTAL.  
Email Invoice: invoices@wnmu.eduAddress all correspondence to the Purchasing Department  
**NM TAX EXEMPTION #01-508041-002****NO C.O.D ORDERS OR FREIGHT COLLECT ORDERS WILL BE ACCEPTED.  
ONLY SHIP QUANTITIES LISTED UNLESS APPROVED BY PURCHASING DEPARTMENT.**

| Item | Item Description                                                              | Units | Unit Price | Extended Price |
|------|-------------------------------------------------------------------------------|-------|------------|----------------|
| 1    | Mileage JS0705152019<br>Travel expenses to Lusaka, Zambia<br>July 05-15, 2019 | EA    |            | 236.00         |
| 2    | Per Diem                                                                      | EA    |            | 510.00         |

|                                                                  |                    |                |        |
|------------------------------------------------------------------|--------------------|----------------|--------|
| FOB: FOB Destination                                             | TERMS: Net 30 Days | DISCOUNT:      | .00    |
| GOVERNING LAW: State of New Mexico                               |                    | ADDL. CHARGES: | .00    |
| BUYER: Fatima Jimenez                                            |                    | TOTAL TAXES:   | .00    |
| Director of Materials and Resource Management: <i>Amey Brack</i> |                    | TOTAL:         | 746.00 |

11000-1010-72401-131 \$236.00  
President's Office  
11000-1010-72402-131 \$510.00  
President's Office

ACCT DATA

ACCT DATA

ACCOUNTS PAYABLE COPY

74879

**Home**

## Worklist

Workflow Status Search

### Workflow Alerts

## Worklist

### MRM Approval

Hide Menu  Logoff  Help

Mary Rae McDonald (botellom@wnmu.edu) has filled out the following request for you. Please approve or deny this request below.

### ***Employee Travel Request***

### Travel Information

Date: Wed Jul 03 09:25:16 MDT 2019

Name: Joseph Shepard

W-Number: W00168981

W2-Address: PO Box 1694 Silver City, NM 88062

TR#: TR\_JS0705142019

Title: President

|                    |                       |
|--------------------|-----------------------|
| Purpose of Travel: | Zambia as part of MOU |
|--------------------|-----------------------|

**Additional Passengers:**

|           |                                                                                                           |
|-----------|-----------------------------------------------------------------------------------------------------------|
| Comments: | Late Justification - my personal mistake, I had thought this was already submitted. No record in workflow |
|-----------|-----------------------------------------------------------------------------------------------------------|

| Depart From     | Date / Time | Arrive At       | Date / Time | Means of Conveyance |
|-----------------|-------------|-----------------|-------------|---------------------|
| Silver City, NM | 07/05/2019  | Albuquerque, NM | 07/05/2019  | Personal Vehicle    |
| Albuquerque, NM | 07/05/2019  | Houston, TX     | 07/05/2019  | Airplane            |
| Houston, TX     | 07/05/2019  | Lusaka, Zambia  | 07/07/2019  | Airplane            |
| Lusaka, Zambia  | 07/13/2019  | Houston, TX     | 07/14/2019  | Airplane            |
| Houston, TX     | 07/14/2019  | Albuquerque, NM | 07/14/2019  | Airplane            |
|                 |             |                 |             |                     |
|                 |             |                 |             |                     |
|                 |             |                 |             |                     |
|                 |             |                 |             |                     |
|                 |             |                 |             |                     |

## Account Information

|          |                                                    |
|----------|----------------------------------------------------|
| Account: | 11000-1010-72401 -<br>International<br>Mileage-131 |
|----------|----------------------------------------------------|

Reimbursement Method: @Reimbursement

|          |                                                              |
|----------|--------------------------------------------------------------|
| Account: | 11000-1010-72402 -<br>International Meals<br>and Lodging-131 |
|----------|--------------------------------------------------------------|

Limitation Option: None

|          |                 |
|----------|-----------------|
| Account: | 11000-1010--131 |
|----------|-----------------|

|                           |   |
|---------------------------|---|
| Total Cost Not to Exceed: | - |
|---------------------------|---|

## Expense Items

| Hotel            | Airfare          | Registration      | Other             | Total Trip cost |
|------------------|------------------|-------------------|-------------------|-----------------|
| Pro-Card \$ 1000 | Pro-Card \$ 7500 | Not Applicable \$ | Not Applicable \$ | 8500.00         |

Private Automobile - Persons who use private automobiles on Western New Mexico University business must sign below certifying that there is an insurance policy in force which provides at least the following minimum coverage for the automobile used:

- 1) \$25,000 for personal injury or death to one person
- 2) \$50,000 for injury or death to 2 of more persons in one accident
- 3) \$10,000 for property damage

Signature: Joseph Shepard/mrm (Name here signifies agreement to the above statement)

Reason For Denial:

— \* Do You Approve This Request?

Approved

☐ Denied

## Complete

Save & Close

Cancel

**Top**



**WESTERN**  
NEW MEXICO UNIVERSITY

**EXHIBIT**

**3**

**!0015227**

Deposit Date  
07/07/21

\* DIRECT DEPOSIT ADVICE \* NOT A CHECK \* DO NOT CASH \*

\*\*\*\*\*459.00

DEPOSIT IN THE ACCOUNT OF:

Dr. Joseph Shepard  
PO Box 1694  
Silver City NM 88062

**VOID - NON-NEGOTIABLE**  
**DIRECT DEPOSIT ADVICE**

Approved \_\_\_\_\_

Treasurer of Board of Regents 

Western New Mexico University - General Account

| PO<br>NUMBER      | INVOICE      |                 | GROSS<br>AMOUNT | DISCOUNT          | ADDITIONAL<br>CHARGES | NET<br>AMOUNT     |
|-------------------|--------------|-----------------|-----------------|-------------------|-----------------------|-------------------|
|                   | NUMBER       | DATE            |                 |                   |                       |                   |
| P0077318          | JS0613232021 | 06/30/21        | 459.00          | .00               | .00                   | 459.00            |
| DEPOSIT<br>NUMBER |              | DEPOSIT<br>DATE | TOTAL<br>GROSS  | TOTAL<br>DISCOUNT | TOTAL ADDL<br>CHARGES | DEPOSIT<br>AMOUNT |
| !0015227          |              | 07/07/21        | 459.00          | .00               | .00                   | 459.00            |

**WESTERN NEW MEXICO UNIVERSITY****Purchasing Department**MAILING ADDRESS: PO BOX 680  
SILVER CITY, NEW MEXICO 88062

Voice: (575) 538-6553

Fax: (575) 538-6394

E-mail: [invoices@wnmu.edu](mailto:invoices@wnmu.edu)**PURCHASE ORDER**

Number:

**P0077318**

Purchase order expires on 06/30/2021

Please show this number on all packages and documents related to this order

Date: **05/06/21**Vendor: W00168981  
Shepard, Joseph  
PO Box 680  
Silver City NM 88062Ship To: Joseph Shepard  
1000 W College Ave  
Old Student Mem  
Silver City NM 88061

Requisition #:

INVOICES MUST BE ITEMIZED  
SHOWING QUANTITY, UNIT PRICE AND TOTAL.  
Email Invoice: [invoice@wnmu.edu](mailto:invoice@wnmu.edu)Address all correspondence to the Purchasing Department  
**NM TAX EXEMPTION #01-508041-002****NO C.O.D ORDERS OR FREIGHT COLLECT ORDERS WILL BE ACCEPTED.  
ONLY SHIP QUANTITIES LISTED UNLESS APPROVED BY PURCHASING DEPARTMENT.**

| Item | Item Description                                                                | Units | Unit Price | Extended Price |
|------|---------------------------------------------------------------------------------|-------|------------|----------------|
| 1    | Mileage TR# JS0613232021<br>Travel Expense to Athens Greece<br>June 13-23, 2021 | EA    |            | 236.00         |
| 2    | Per Diem                                                                        | EA    |            | 561.00         |

*May need to give to Amy to close line \$*

*JS0613232021 6/30/21 45900 E I 0183690*

FOB: FOB Destination

TERMS: Net 30 Days

DISCOUNT: .00

GOVERNING LAW: State of New Mexico

ADDL. CHARGES: .00

BUYER: Amy Baca

TOTAL TAXES: .00

Director of Materials and Resource Management: *Amy Baca*

TOTAL: 797.00

11000-1070-72201-124 \$236.00  
International Student Services  
11000-1070-72202-124 \$561.00  
International Student Services

ACCT DATA

ACCT DATA

ACCOUNTS PAYABLE COPY

## User Profile

My Processes

User Information

Change Password

Mary Rae McDonald (botellom@wnmu.edu) had filled out the following travel voucher.

| <u>Employee Travel Voucher</u>                                                                                                                                                                                                           |                                                                           |                 |                                                                                                                                                                                                                                                     |                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <u>Travel Information</u>                                                                                                                                                                                                                |                                                                           |                 |                                                                                                                                                                                                                                                     |                     |
| Date:                                                                                                                                                                                                                                    | Tue Jul 06 13:25:57 MDT 2021                                              |                 |                                                                                                                                                                                                                                                     |                     |
| Name:                                                                                                                                                                                                                                    | Joseph Shepard                                                            |                 |                                                                                                                                                                                                                                                     |                     |
| W-Number:                                                                                                                                                                                                                                | W00168981                                                                 |                 |                                                                                                                                                                                                                                                     |                     |
| TR#:                                                                                                                                                                                                                                     | TR JS061307172021                                                         |                 |                                                                                                                                                                                                                                                     |                     |
| Address:                                                                                                                                                                                                                                 | 500 West College Avenue Silver City, NM 88061                             |                 |                                                                                                                                                                                                                                                     |                     |
| PO#:                                                                                                                                                                                                                                     | 0077318                                                                   |                 |                                                                                                                                                                                                                                                     |                     |
| Account Numbers:                                                                                                                                                                                                                         | 11000-1070-72401 - International Mileage-124-                             |                 |                                                                                                                                                                                                                                                     |                     |
|                                                                                                                                                                                                                                          | 11000-1070-72402 - International Meals and Lodging-124-                   |                 |                                                                                                                                                                                                                                                     |                     |
|                                                                                                                                                                                                                                          | 11000-1010--131-                                                          |                 |                                                                                                                                                                                                                                                     |                     |
| Purpose of Travel:                                                                                                                                                                                                                       | University of Oviedo Leadership and Athens Study Abroad School            |                 |                                                                                                                                                                                                                                                     |                     |
| Depart From                                                                                                                                                                                                                              | Date / Time                                                               | Arrive At       | Date / Time                                                                                                                                                                                                                                         | Means of Conveyance |
| ABQ Sunport                                                                                                                                                                                                                              | 06/14/2021 12:25pm                                                        | Dallas/Ft Worth | 06/14/2021 3:15pm                                                                                                                                                                                                                                   | Airplane            |
| Dallas/Ft Worth                                                                                                                                                                                                                          | 06/14/2021 4:50pm                                                         | Madrid, Spain   | 06/15/2021 9:10am                                                                                                                                                                                                                                   | Airplane            |
| Madrid, Spain                                                                                                                                                                                                                            | 06/16/2021 10:00am                                                        | Oviedo, Spain   | 06/16/2021 3:00pm                                                                                                                                                                                                                                   | Airplane            |
| Oviedo, Spain                                                                                                                                                                                                                            | 06/19/2021 10:00am                                                        | Madrid, Spain   | 06/19/2021 3:00pm                                                                                                                                                                                                                                   | Airplane            |
| Chicago OHare, IL                                                                                                                                                                                                                        | 06/20/2021 9:00am                                                         | Athens, Greece  | 06/20/2021 2:00pm                                                                                                                                                                                                                                   | Airplane            |
| N/A                                                                                                                                                                                                                                      | 07/17/2021 12:00pm                                                        | N/A             | 07/17/2021 12:00pm                                                                                                                                                                                                                                  | Pending Return      |
| N/A                                                                                                                                                                                                                                      | N/A                                                                       | N/A             | N/A                                                                                                                                                                                                                                                 | N/A                 |
| N/A                                                                                                                                                                                                                                      | N/A                                                                       | N/A             | N/A                                                                                                                                                                                                                                                 | N/A                 |
| N/A                                                                                                                                                                                                                                      | N/A                                                                       | N/A             | N/A                                                                                                                                                                                                                                                 | N/A                 |
| N/A                                                                                                                                                                                                                                      | N/A                                                                       | N/A             | N/A                                                                                                                                                                                                                                                 | N/A                 |
| N/A                                                                                                                                                                                                                                      | N/A                                                                       | N/A             | N/A                                                                                                                                                                                                                                                 | N/A                 |
| N/A                                                                                                                                                                                                                                      | N/A                                                                       | N/A             | N/A                                                                                                                                                                                                                                                 | N/A                 |
| N/A                                                                                                                                                                                                                                      | N/A                                                                       | N/A             | N/A                                                                                                                                                                                                                                                 | N/A                 |
| <u>Claims</u>                                                                                                                                                                                                                            |                                                                           |                 |                                                                                                                                                                                                                                                     |                     |
| Additional Claims to Per Diem and Primary Transportation:                                                                                                                                                                                |                                                                           |                 | 6/23 The initial University part of the trip ends. As part of fiscal year closure, submitting this initial voucher to close FY21 charges and when President Shepard returns, our office will submit return trip details (those University related). |                     |
| I hereby certify that the information stated above is correct and complete, that all transportation expenses and per diem periods incurred while not on University business are so indicated and that no part of the same has been paid. |                                                                           |                 |                                                                                                                                                                                                                                                     |                     |
| Signature:                                                                                                                                                                                                                               | Joseph Shepard/mrm (Name here signifies agreement to the above statement) |                 |                                                                                                                                                                                                                                                     |                     |

Reason For Denial:

\* Do You Approve This Request?

☒ Approved☐ Denied

Complete

Save &amp; Close

Cancel

Attachment:

Attach File

5/4/2021

Workflow 8.4.0.0 (wnmu) - bacaamym

\* m318

## Worklist

## MRM Approval

Mary Rae McDonald (botellom@wnmu.edu) has filled out the following request for you. Please approve or deny this request below.

## Employee Travel Request

## Travel Information

|                        |                                                                                                             |
|------------------------|-------------------------------------------------------------------------------------------------------------|
| Date:                  | Tue May 04 08:35:28 MDT 2021                                                                                |
| Name:                  | Joseph Shepard                                                                                              |
| W-Number:              | W00168981                                                                                                   |
| W2-Address:            | 500 West College Avenue Silver City, NM 88061                                                               |
| TR#:                   | TR_JS061307172021                                                                                           |
| Title:                 | President                                                                                                   |
| Purpose of Travel:     | University of Oviedo Leadership and Athens Study Abroad School                                              |
| Additional Passengers: | First Lady Valerie Plame                                                                                    |
| Comments:              | Official University Business ends 6/23. 6/24-7/15 Personal travel. 7/16 resumes official university return. |

| Depart From          | Date / Time | Arrive At            | Date / Time | Means of Conveyance |
|----------------------|-------------|----------------------|-------------|---------------------|
| Silver City, NM      | 06/13/2021  | Albuquerque, NM      | 06/13/2021  | Personal Vehicle    |
| Albuquerque, NM      | 06/14/2021  | Dallas/Ft. Worth, TX | 06/14/2021  | Airplane            |
| Dallas/Ft. Worth, TX | 06/14/2021  | Madrid, Spain        | 06/15/2021  | Airplane            |
| Athens, Greece       | 07/16/2021  | Chicago OHare, IL    | 07/16/2021  | Airplane            |
| Chicago OHare, IL    | 07/16/2021  | Albuquerque, NM      | 07/16/2021  | Airplane            |
| Albuquerque, NM      | 07/17/2021  | Silver City, NM      | 07/17/2021  | Personal Vehicle    |
|                      |             |                      |             |                     |
|                      |             |                      |             |                     |
|                      |             |                      |             |                     |
|                      |             |                      |             |                     |
|                      |             |                      |             |                     |
|                      |             |                      |             |                     |

## Account Information

|          |                                                         |                           |                |
|----------|---------------------------------------------------------|---------------------------|----------------|
| Account: | 11000-1070-72401 - International Mileage-124-           | Reimbursement Method:     | @Reimbursement |
| Account: | 11000-1070-72402 - International Meals and Lodging-124- | Limitation Option:        | None           |
| Account: | 11000-1010--131-                                        | Total Cost Not to Exceed: | n/a            |

## Expense Items

| Hotel               | Airfare             | Registration   | Other          | Total Trip cost |
|---------------------|---------------------|----------------|----------------|-----------------|
| Pro-Card \$ 3250.00 | Pro-Card \$ 3368.65 | Not Applicable | Not Applicable | 6618.65         |

Private Automobile - Persons who use private automobiles on Western New Mexico University business must sign below certifying that there is an insurance policy in force which provides at least the following minimum coverage for the automobile used:

- 1) \$25,000 for personal injury or death to one person
- 2) \$50,000 for injury or death to 2 of more persons in one accident
- 3) \$10,000 for property damage

Signature: Joseph Shepard/mrm (Name here signifies agreement to the above statement)

Reason For Denial:

\* Do You Approve This Request?

☒ Approved

☐ Denied

Complete

Save & Close

Cancel



## 4

**Deposit Date**  
02/08/23

\*\*\*\*\*198.00

Treasurer of Board of Regents

[illegible]

**WESTERN NEW MEXICO UNIVERSITY****Purchasing Department**MAILING ADDRESS: PO BOX 680  
SILVER CITY, NEW MEXICO 88062

Voice: (575) 538-6553

Fax: (575) 538-6394

E-mail: [invoices@wnmu.edu](mailto:invoices@wnmu.edu)**PURCHASE ORDER**

Number:

**P0080448**

Purchase order expires on 06/30/2023

Please show this number on all packages and documents related to this order

Date: **01/10/23**Vendor: W00168981  
Shepard, Joseph  
500 West College Avenue  
Silver City NM 88061Ship To: Joseph Shepard  
1000 W College Ave  
Old Student Mem  
Silver City NM 88061

Requisition #:

INVOICES MUST BE ITEMIZED  
SHOWING QUANTITY, UNIT PRICE AND TOTAL.  
Email Invoice: [invoice@wnmu.edu](mailto:invoice@wnmu.edu)Address all correspondence to the Purchasing Department  
**NM TAX EXEMPTION #01-508041-002****NO C.O.D ORDERS OR FREIGHT COLLECT ORDERS WILL BE ACCEPTED.  
ONLY SHIP QUANTITIES LISTED UNLESS APPROVED BY PURCHASING DEPARTMENT.**

| Item | Item Description                                                                 | Units | Unit Price | Extended Price |
|------|----------------------------------------------------------------------------------|-------|------------|----------------|
| 1    | Per Diem TR# JS0125282023<br>Travel expenses to Miami, FL<br>January 25-28, 2023 | EA    |            | <b>153.00</b>  |

FOB: FOB Destination

TERMS: Net 30 Days

DISCOUNT: .00

GOVERNING LAW: State of New Mexico

ADDL. CHARGES: .00

BUYER: Fatima Jimenez

TOTAL TAXES: .00

Director of Materials and Resource Management: *Amey Brana***TOTAL: 153.00**11000-1010-72202-131  
President's Office

\$153.00

**WESTERN**  
NEW MEXICO UNIVERSITY

ACCT DATA

ACCT DATA

PURCHASING COPY

**WNMU**

DIVISION OF BUSINESS AFFAIRS

RECEIVED

JAN 9 2023

## EMPLOYEE TRAVEL REQUEST

Date form is COMPLETED: January 6, 2023

TR#: JS01252823

BY: \_\_\_\_\_  
( This number must appear on your travel voucher )

Name of Person Traveling: Joseph Shepard

Title: President

WNMU ID#: W W00168981

Purpose of Travel: Finca Vigia Foundation Board Meeting

80448 +

| Departure From: | Date:      | Arrival At:  | Date:      | Means of Conveyance        |
|-----------------|------------|--------------|------------|----------------------------|
| Santa Fe, NM    | 01/25/2023 | Miami, FL    | 01/25/2023 | Personal Vehicle/Airplane  |
| Miami, FL       | 01/28/2023 | Santa Fe, NM | 01/28/2023 | Airplane                   |
|                 |            |              |            | Select Means of Conveyance |
|                 |            |              |            | Select Means of Conveyance |
|                 |            |              |            | Select Means of Conveyance |
|                 |            |              |            | Select Means of Conveyance |

| METHOD OF REIMBURSEMENT:                             |        | LIMITATION OPTIONS:                                   |  |
|------------------------------------------------------|--------|-------------------------------------------------------|--|
| Per Diem: <input checked="" type="checkbox"/>        | Notes: | Total not to exceed \$:                               |  |
| Mileage: <input checked="" type="checkbox"/>         |        | Transportation/Mileage Only: <input type="checkbox"/> |  |
| Meeting Allocation: \$95.00 <input type="checkbox"/> |        | No Reimbursement Requested: <input type="checkbox"/>  |  |

\*\*IF TRAVELING BY PRIVATE AUTOMOBILE YOU MUST AGREE TO THE FOLLOWING\*\*

"Persons who use private automobiles on Western New Mexico University business must sign below certifying that there is an insurance policy in force which provides at least the following minimum coverage for the automobile used."

- 1) \$25,000 for personal injury to, or death of one person
- 2) \$50,000 for injury to, or death of 2 or more persons in one accident
- 3) \$10,000 for property damage

Please indicate how expenses for this trip will be paid by selecting either Pro Card or Purchase Order in the boxes below. If no charges apply, select Not Applicable.

|        |          |              |          |          |          |               |                |        |  |
|--------|----------|--------------|----------|----------|----------|---------------|----------------|--------|--|
| Hotel: | Pro-Card | Rental Auto: | Pro-Card | Airfare: | Pro-Card | Registration: | Does not apply | Other: |  |
|--------|----------|--------------|----------|----------|----------|---------------|----------------|--------|--|

| ACCOUNT NUMBER TO BE CHARGED: | Fund: | 11000 | Organization: | 1010 | Account: | 72201 | Program: | 131 |
|-------------------------------|-------|-------|---------------|------|----------|-------|----------|-----|
|                               | Fund: | 11000 | Organization: | 1010 | Account: | 72202 | Program: | 131 |
|                               | Fund: |       | Organization: |      | Account: |       | Program: |     |

I hereby certify that the information stated above is true and complete.

Signature (Person Traveling): Joseph Shepard / mrm

Date: January 6, 2023 +

Approved (Account Manager): Mary Rae McDonald

Date: January 6, 2023 +

Approved (Vice President or Acct. Manager): Joseph Shepard / mrm

Date: January 6, 2023 +

| DO NOT WRITE IN THIS SECTION/ MRM OFFICE USE ONLY |  | Account #       | Amount # |
|---------------------------------------------------|--|-----------------|----------|
| Problem-returned to: _____                        |  | 72201           |          |
| Incomplete Form (See highlighted areas): _____    |  | 72202           | 153-     |
| Insufficient Funds: _____                         |  |                 |          |
| Violation of Policy: _____                        |  |                 |          |
| Other: _____                                      |  |                 |          |
| Date Received by MRM Office: _____                |  | Estimated Cost: |          |
|                                                   |  | MRM Approval:   |          |

**TRAVEL VOUCHER**  
**FOR EMPLOYEE USE ONLY**

Date: 02/03/2023

TR# JS0125282023

Above number must be given

Name: **Joseph Shepard**

Trip to:

**Miami, FL**

Address: **P0080448**

Purpose:

**Finca Vigia Foundation Meeting**

| Departure From    | Date       | Time     | Arrival At        | Date       | Time     | Means of Conveyance |
|-------------------|------------|----------|-------------------|------------|----------|---------------------|
| Silver City, NM   | 01/25/2023 | 11:00 AM | Grant Cty Airport | 01/25/2023 | 11:30 AM | Personal Vehicle    |
| Grant Cty Airport | 01/25/2023 | 12:00 PM | Phoenix Airport   | 01/25/2023 | 1:12 PM  | Airplane            |
| Phoenix, AZ       | 01/25/2023 | 3:15 PM  | Miami, FL         | 01/25/2023 | 9:24 PM  | Airplane            |
| Miami, FL         | 01/27/2023 | 7:22 PM  | ABQ Sunport       | 01/27/2023 | 11:38 PM | Airplane            |
| ABQ Sunport       | 01/28/2023 | 10:45 AM | Silver City, NM   | 01/28/2023 | 11:45 AM | Airplane            |
| Grant Cty Airport | 01/28/2023 | 12:00 PM | Silver City, NM   | 01/28/2023 | 12:30 PM | Personal Vehicle    |

Please staple receipts and transportation ticket stubs to this voucher

**Claims in Addition to Per Diem and Primary Transportation.**

**No Mileage reimbursement - Per Diem only. Airfare, hotel accommodations and car rental (utilized in Miami) on p-card.**

**CERTIFICATION**

I hereby certify that the information stated above is correct and complete, that all transportation expenses and per diem periods incurred while not on University business are so indicated and that no part of the same has been paid.

*Joseph Shepard/mm*  
Signature

1/24/2023

Date

Account Number to be Charged: **11000-1010-72102-131**

Account Manager Approval:

VP Approval: *Mary Rae McDonald*

**DO NOT WRITE IN THIS SECTION**

Accounts Payable will compute the allowed expenses

Transportation:

Per Diem

|                               |  |                                              |           |
|-------------------------------|--|----------------------------------------------|-----------|
| Rail                          |  | 3 Days @ \$ 51.00                            | \$ 153.00 |
| Air                           |  | 11:00 AM to 12:30 PM - 13.5 additional hours | 45.00     |
| Bus                           |  |                                              |           |
| Auto                          |  |                                              |           |
| Taxi                          |  |                                              |           |
|                               |  |                                              | \$ 198.00 |
| <b>Total Transportation:</b>  |  | <b>Total Per Diem:</b>                       |           |
| <b>EXPENSE CLASSIFICATION</b> |  |                                              |           |
| <i>per diem</i>               |  | 198.00                                       |           |
|                               |  |                                              |           |
|                               |  |                                              |           |
|                               |  | <b>Total Reimbursement:</b>                  | \$ 198.00 |

Date: 2-3-23

Check No.

AUDITED: *Maria Abeyta*

## *Lodging Accommodations as part of P0080448 for President Shepard*

Sheraton Albuquerque Airport Hotel  
2910 Yale Blvd S.E.  
Albuquerque, NM 87106  
United States  
Tel: 505-843-7000 Fax: 505-843-6307



Joseph Shepard

Page Number : 1 Invoice Nbr : 1000113418  
Guest Number : 998306  
Folio ID : A  
Arrive Date : 27-JAN-23 23:54  
Depart Date : 28-JAN-23 11:00  
No. Of Guest : 1  
Room Number : 1023  
Marriott Bonvoy Number : 9375

### Information Invoice

Tax ID :

Sheraton ABQ A ABQAH JAN-28-2023 03:30 9999

| Date        | Reference | Description                | Charges (USD) | Credits (USD) |
|-------------|-----------|----------------------------|---------------|---------------|
| 27-JAN-23   | RT1023    | Room Chrg - Govt./Military | 121.00        |               |
| 27-JAN-23   | RT1023    | Room Tax                   | 6.05          |               |
| 27-JAN-23   | RT1023    | State Tax                  | 9.38          |               |
| 27-JAN-23   | RT1023    | County Tax                 | 1.21          |               |
| 27-JAN-23   | RT1023    | Tourism Improvement Tax    | 2.42          |               |
| JAN-28-2023 | VI        | Visa                       |               | -140.06       |
| ** Total    |           |                            | 140.06        | -140.06       |
| *** Balance |           |                            | 0.00          |               |

Continued on the next page

Car Rental as part of P0080448 for President Shepard



Rental Agreement # 462231742

Invoice # 40066838190

### Renter Information

**Renter Name**

JOSEPH SHEPARD

**Renter Address**

SILVER CITY, NM 88061  
USA

**Contract**

WESTERN NEW MEXICIO STATE  
UNIV

**Rental Credits**

1 credit has been awarded for this  
rental

### Vehicle Information

**4DR ALL-WHEEL DRIVE**

License #: AL91HK

State/Province: FL

Unit #: 8DXDNY

Vehicle #: PU971272

**Vehicle Class Driven**

Compact SUV AWD 4 door/Automatic/  
Air

**Vehicle Class Charged**

Midsized 2/4 door/Automatic/Air

**Odometer Mileage/Kilometers**

Starting: 1,282    Ending: 1,633

Total: 351

**Fuel**

Starting: Full    Ending: 2.0

### Trip Information

**Pickup**

Wednesday, January 25, 2023 9:34 PM

MIAMI INTL ARPT (MIA) ✈

3900 NW 25TH ST

MIAMI, FL 33142

USA

**Return**

Friday, January 27, 2023 12:06 PM

MIAMI INTL ARPT (MIA) ✈

3900 NW 25TH ST

MIAMI, FL 33142

USA

### Renter Charges

|                    |                                        |          |
|--------------------|----------------------------------------|----------|
| <b>Rental Rate</b> | Time & Distance 2 Day at \$67.00 / Day | \$134.00 |
|--------------------|----------------------------------------|----------|

|                |                                    |          |
|----------------|------------------------------------|----------|
| <b>Add-Ons</b> | Discount (5.00%)                   | (\$6.70) |
|                | Refueling Charge (\$5.43 / Gallon) | \$54.27  |

|                       |                                                    |         |
|-----------------------|----------------------------------------------------|---------|
| <b>Taxes and Fees</b> | FI Waste Tire/battery Fee .02/day (\$0.02 / Day)   | \$0.04  |
|                       | Concession Recoupment Fee 11.11 Pct (11.11%)       | \$14.26 |
|                       | Sc Rec - FI Surchg Recov 2.00/day (\$2.00 / Day)   | \$4.00  |
|                       | Sales Tax (7.00%)                                  | \$10.98 |
|                       | Rental Car Facility Charge 5.10/day (\$5.10 / Day) | \$10.20 |
|                       | Vlf Rec .50/day (\$0.50 / Day)                     | \$1.00  |

|              |                 |
|--------------|-----------------|
| <b>Total</b> | <b>\$222.05</b> |
|--------------|-----------------|

(Subject to audit)

|                                                   |            |
|---------------------------------------------------|------------|
| Amount charged on January 27, 2023 to VISA (5278) | (\$167.78) |
|---------------------------------------------------|------------|

|                                                   |           |
|---------------------------------------------------|-----------|
| Amount charged on January 27, 2023 to VISA (5278) | (\$54.27) |
|---------------------------------------------------|-----------|

|                   |               |
|-------------------|---------------|
| <b>Amount Due</b> | <b>\$0.00</b> |
|-------------------|---------------|

Thank you for renting  
with National Car Rental

We appreciate your business!

Sheraton Albuquerque Airport Hotel  
2910 Yale Blvd S.E.  
Albuquerque, NM 87106  
United States  
Tel: 505-843-7000 Fax: 505-843-6307



Joseph Shepard

|                        |   |           |             |   |            |
|------------------------|---|-----------|-------------|---|------------|
| Page Number            | : | 2         | Invoice Nbr | : | 1000113418 |
| Guest Number           | : | 998306    |             |   |            |
| Folio ID               | : | A         |             |   |            |
| Arrive Date            | : | 27-JAN-23 | 23:54       |   |            |
| Depart Date            | : | 28-JAN-23 | 11:00       |   |            |
| No. Of Guest           | : | 1         |             |   |            |
| Room Number            | : | 1023      |             |   |            |
| Marriott Bonvoy Number | : | 9375      |             |   |            |

For your convenience, we have prepared this zero-balance folio indicating a \$0 balance on your account. Please be advised that any charges not reflected on this folio will be charged to the credit card on file with the hotel. While this folio reflects a \$0 balance, your credit card may not be charged until after your departure. You are ultimately responsible for paying all of your folio charges in full.

Signature\_\_\_\_\_

## **Thank you for renting with National Car Rental**

This email was automatically generated from an unattended mailbox, so please do not reply to this e-mail.

If you have any questions about your rental, please view our Frequently Asked Questions or send us a secured message by visiting our [Support Center](#)

## Airfare as part of P0080448 Foundation Board Meeting

---

**From:** Dr. Joe Shepard <Joe@outdoorshep.com>  
**Sent:** Monday, January 09, 2023 1:10 PM  
**To:** Mary Rae McDonald  
**Subject:** Fwd: Your trip confirmation (PHX - MIA)

---

**Please be cautious**

This email was sent from outside of WNMU

---

Sent from my iPhone

Begin forwarded message:

**From:** American Airlines <no-reply@info.email.aa.com>  
**Date:** January 9, 2023 at 9:13:42 AM MST  
**To:** "Dr. Joe Shepard" <Joe@outdoorshep.com>  
**Subject:** Your trip confirmation (PHX - MIA)



Issued: January 9, 2023

### Your trip confirmation and receipt

We charged \$437.80 to your card ending in 5278 for your ticket purchase.

You can check in via the American app 24 hours before your flight and get your mobile boarding pass.

**Record Locator: AHHO0Y**

**Wednesday, January 25, 2023**

 **PHX**  
Phoenix  
**3:15 PM**

 **MIA**  
Miami  
**9:24 PM**

**AA 2054** 

Seat: **13A, 13B**

Class: **Economy (Q)**

Meals: **Food for purchase**

**Manage your trip**

Earn up to \$200 Back  
Plus 40,000 bonus miles. Terms Apply.  
[Learn more](#)



## Your purchase

**Joseph Shepard - AAdvantage® #: 50K1U58**

New ticket (0012362229398)

\$218.90

[\$189.77 + Taxes & carrier-imposed fees \$29.13]

**Valerie Plame - AAdvantage® #: 24B6F08**

New ticket (0012362229399)

\$218.90

[\$189.77 + Taxes & carrier-imposed fees \$29.13]

**Total cost** (all passengers)

**\$437.80**

## **Your payment**

Visa (ending 5278)

\$437.80

**Total paid**

**\$437.80**

## **Bag information**

### **Checked Bag (Airport)**

1<sup>st</sup> bag No charge  
2<sup>nd</sup> bag No charge

### **Checked Bag (Online\*)**

1<sup>st</sup> No  
bagcharge  
2<sup>nd</sup> No  
bagcharge

Maximum dimensions: 62 inches or 158 centimeters calculated as (length + width + height)

Maximum weight: 50 pounds or 23 kilograms

Bag fees apply at each Check-in location. Additional allowances and/or discounts may apply. Bag and optional fees

If your flight is operated by a partner airline, see the other airline's website for carry-on and checked bag policies.

\*Online payment available beginning 24 hours (and up to 4 hours) before departure.

## Carry-on bags

- 1<sup>st</sup> carry-on** Includes purse, briefcase, laptop bag, or similar item that must fit under the seat in front of you.
- 
- 2<sup>nd</sup> carry-on** Maximum dimensions not to exceed: 22" long x 14" wide x 9" tall (56 x 35 x 23 cm).



[Book a hotel »](#)



[Book a car »](#)



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[AAVacations »](#)



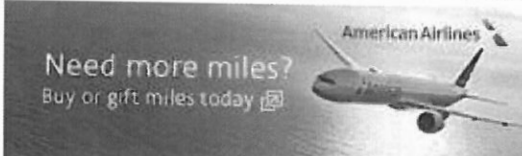
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You have up to 24 hours from the time of ticket purchase to receive a full refund if you booked at least 2 days before departure. You must log in on aa.com or Contact Reservations to cancel. Once cancelled, your refund will be processed automatically. Refunds.

Some American Airlines check-in counters do not accept cash as a form of payment. For more information, visit our Airport Information page.

The policy for traveling with Emotional Support and Service animals has changed. Visit Traveling with Service Animals for more information.



Some everyday products, like e-cigarettes and aerosol spray starch, can be dangerous when transported on the aircraft in carry-on and/or checked baggage. Changes in temperature or pressure can cause some items to leak, generate toxic fumes or start a fire. Carriage of prohibited items may result in fines or in certain cases imprisonment. Please ensure there are no forbidden hazardous materials in your baggage like:

Some Lithium batteries (e.g. spares in checked baggage, batteries over a certain size), Explosives / Fireworks, Strike anywhere matches/ Lighter fluid, Compressed gases / Aerosols Oxygen bottles/ Liquid oxygen, Flammable liquids, Pesticides/ Poison, Corrosive material.

There are special exceptions for small quantities (up to 70 ounces total) of medicinal and toilet articles carried in your luggage, spare lithium batteries for most consumer electronic devices in carry-on baggage, and certain smoking materials carried on your person.

Certain items are required to be carried with you onboard the aircraft. For example, spare lithium batteries for portable electronic devices, cigarette lighters and e-cigarettes must be removed from checked or gate-checked baggage and carried onboard the aircraft. However, e-cigarettes may not be used on-board the aircraft.

Traveling with medical oxygen, liquid oxygen, mobility aids and other assistive devices may require airline pre-approval or be restricted from carriage entirely. Passengers requiring these items should contact the airline operator for information on use of such devices.

To change your reservation, please call 1-800-433-7300 and refer to your record locator.

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You can obtain additional information on items 1 through 6 above at any U.S. location where the transporting air carrier's tickets are sold. You have the right to inspect the full text of each transporting air carrier's terms at its airport and city ticket offices. You also have the right, upon request, to receive (free of charge) the full text of the applicable terms incorporated by reference from each of the transporting air carriers. Information on ordering the full text of each air carrier's terms is available at any U.S. location where the air carrier's tickets are sold or you can click on the Conditions of Carriage link below.

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For all other questions about bookings or upcoming trips, visit our contact page. Contact American >

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## *Airfare as part of P0080448 Foundation Board Meeting*

---

**From:** Dr. Joe Shepard <Joe@outdoorshep.com>  
**Sent:** Monday, January 09, 2023 1:10 PM  
**To:** Mary Rae McDonald  
**Subject:** Fwd: Your trip confirmation (MIA - ABQ)

---

### **Please be cautious**

This email was sent from outside of WNMU

---

Sent from my iPhone

Begin forwarded message:

**From:** American Airlines <no-reply@info.email.aa.com>  
**Date:** January 9, 2023 at 9:31:53 AM MST  
**To:** "Dr. Joe Shepard" <Joe@outdoorshep.com>  
**Subject:** Your trip confirmation (MIA - ABQ)



Issued: January 9, 2023

## **Your trip confirmation and receipt**

We charged \$474.40 to your card ending in 5278 for your ticket purchase.

You can check in via the American app 24 hours before your flight and get your mobile boarding pass.

**Record Locator: AKUEUL**

**Friday, January 27, 2023**



**MIA**

Miami

**7:22 PM**

**AA 2524**



**DFW**

Dallas/Fort Worth

**9:45 PM**

Seat: **14A, 14B**

Class: **Economy (S)**

Meals: **Refreshment**



**DFW**

Dallas/Fort Worth

**10:45 PM**

**AA 2564**



**ABQ**

Albuquerque

**11:38 PM**

Seat: **9A, 9C**

Class: **Economy (S)**

Meals:

**Manage your trip**

Earn up to \$200 Back  
Plus 40,000 bonus miles. Terms Apply.  
[Learn more](#)



**Your purchase**

**Joseph Shepard - AAdvantage® #: 50K1U58**

|                                                   |          |
|---------------------------------------------------|----------|
| New ticket (0012362234515)                        | \$237.20 |
| [\$198.14 + Taxes & carrier-imposed fees \$39.06] |          |

**Valerie Plame - AAdvantage® #: 24B6F08**

|                                                   |          |
|---------------------------------------------------|----------|
| New ticket (0012362234516)                        | \$237.20 |
| [\$198.14 + Taxes & carrier-imposed fees \$39.06] |          |

|                                    |                 |
|------------------------------------|-----------------|
| <b>Total cost (all passengers)</b> | <b>\$474.40</b> |
|------------------------------------|-----------------|

**Your payment**

|                    |          |
|--------------------|----------|
| Visa (ending 5278) | \$474.40 |
|--------------------|----------|

|                   |                 |
|-------------------|-----------------|
| <b>Total paid</b> | <b>\$474.40</b> |
|-------------------|-----------------|

**Bag information****Checked Bag (Airport)**

|                     |           |
|---------------------|-----------|
| 1 <sup>st</sup> bag | No charge |
| 2 <sup>nd</sup> bag | No charge |

**Checked  
Bag  
(Online\*)**

|                 |                 |
|-----------------|-----------------|
| 1 <sup>st</sup> | No<br>bagcharge |
| 2 <sup>nd</sup> | No<br>bagcharge |

Maximum dimensions: 62 inches or 158 centimeters calculated as (length + width + height)

Maximum weight: 50 pounds or 23 kilograms

Bag fees apply at each Check-in location. Additional allowances and/or discounts may apply. Bag and optional fees

If your flight is operated by a partner airline, see the other airline's website for carry-on and checked bag policies.

\*Online payment available beginning 24 hours (and up to 4 hours) before departure.

### Carry-on bags

#### 1<sup>st</sup> carry-on

Includes purse, briefcase, laptop bag, or similar item that must fit under the seat in front of you.

#### 2<sup>nd</sup> carry-on

Maximum dimensions not to exceed: 22" long x 14" wide x 9" tall (56 x 35 x 23 cm).



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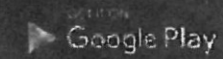


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|                                                                                                                                                                                   |                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p><b>Save and earn when you rent</b><br/>Book now &gt;&gt;<br/><b>AVIS</b> <b>Budget</b></p> |  <p><b>Have flexibility on hotel bookings</b><br/>Search now &gt;&gt;</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|



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**Hotel Accommodation part of  
P0080448 for President Shepard**



50 SW 12TH ST  
MIAMI, FL 33130  
United States of America  
TELEPHONE 305-377-9400 • FAX 305-377-9420  
Reservations  
www.hilton.com or 1 800 HILTONS

SHEPARD, JOSEPH

PO BOX 1694

SILVER CITY NM 88062  
UNITED STATES OF AMERICA

Room No: 924/KXTO  
Arrival Date: 1/25/2023 9:58:00 PM  
Departure Date: 1/27/2023 1:23:00 PM  
Adult/Child: 1/0  
Cashier ID: afraguio1  
Room Rate: 307.12  
AL:  
HH # 919531845 GOLD  
VAT #  
Folio No/Che 537952 A

Confirmation Number: 97301154

HAMPTON INN & SUITES MIAMI / BRICKELL - DWTN 1/27/2023 1:23:00 PM

| DATE        | REF NO  | DESCRIPTION     | CHARGES    |
|-------------|---------|-----------------|------------|
| 1/25/2023   | 2188455 | INTERNET ACCESS | \$4.95     |
| 1/25/2023   | 2188756 | GUEST ROOM      | \$307.12   |
| 1/25/2023   | 2188756 | RM - SALES TAX  | \$21.50    |
| 1/25/2023   | 2188756 | RM - LOCAL TAX  | \$18.43    |
| 1/26/2023   | 2189013 | INTERNET ACCESS | \$4.95     |
| 1/26/2023   | 2189312 | GUEST ROOM      | \$307.12   |
| 1/26/2023   | 2189312 | RM - SALES TAX  | \$21.50    |
| 1/26/2023   | 2189312 | RM - LOCAL TAX  | \$18.43    |
| 1/27/2023   | 2189471 | VS *5278        | (\$704.00) |
| **BALANCE** |         |                 | \$0.00     |

Hilton Honors(R) stays are posted within 72 hours of checkout. To check your earnings or book your next stay at more than 6,500+ hotels and resorts in 119 countries, please visit [Honors.com](https://hiltonhonors.com)

**CREDIT CARD DETAIL**

|                |          |             |            |
|----------------|----------|-------------|------------|
| APPR CODE      | 060867   | MERCHANT ID | 8020930759 |
| CARD NUMBER    | VS *5278 | EXP DATE    | 07/23      |
| TRANSACTION ID | 2189471  | TRANS TYPE  | Sale       |

**Hotel Accommodation part of  
P0080448 for President Shepard**



HAMPTON INN & SUITES MIAMI / BRICKELL - DWTN  
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MIAMI, FL 33130  
United States of America  
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Reservations  
www.hilton.com or 1 800 HILTONS

SHEPARD, JOSEPH

PO BOX 1694

SILVER CITY NM 88062

UNITED STATES OF AMERICA

Room No: 924/KXTO  
Arrival Date: 1/25/2023 9:58:00 PM  
Departure Date: 1/27/2023 1:23:00 PM  
Adult/Child: 1/0  
Cashier ID: afraguio1  
Room Rate: 307.12  
AL:  
HH # 919531845 GOLD  
VAT #  
Folio No/Che 537952 A

Confirmation Number: 97301154

HAMPTON INN & SUITES MIAMI / BRICKELL - DWTN 1/27/2023 1:23:00 PM

| DATE        | REF NO  | DESCRIPTION     | CHARGES    |
|-------------|---------|-----------------|------------|
| 1/25/2023   | 2188455 | INTERNET ACCESS | \$4.95     |
| 1/25/2023   | 2188756 | GUEST ROOM      | \$307.12   |
| 1/25/2023   | 2188756 | RM - SALES TAX  | \$21.50    |
| 1/25/2023   | 2188756 | RM - LOCAL TAX  | \$18.43    |
| 1/26/2023   | 2189013 | INTERNET ACCESS | \$4.95     |
| 1/26/2023   | 2189312 | GUEST ROOM      | \$307.12   |
| 1/26/2023   | 2189312 | RM - SALES TAX  | \$21.50    |
| 1/26/2023   | 2189312 | RM - LOCAL TAX  | \$18.43    |
| 1/27/2023   | 2189471 | VS *5278        | (\$704.00) |
| **BALANCE** |         |                 | \$0.00     |

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|                |          |             |            |
|----------------|----------|-------------|------------|
| APPR CODE      | 060867   | MERCHANT ID | 8020930759 |
| CARD NUMBER    | VS *5278 | EXP DATE    | 07/23      |
| TRANSACTION ID | 2189471  | TRANS TYPE  | Sale       |

Car Rental as part of P0080448 for President Shepard



Rental Agreement # 462231742

Invoice # 40066838190

### Renter Information

**Renter Name**

JOSEPH SHEPARD

**Renter Address**

SILVER CITY, NM 88061

USA

**Contract**

WESTERN NEW MEXICIO STATE

UNIV

**Rental Credits**

1 credit has been awarded for this rental

### Vehicle Information

**4DR ALL-WHEEL DRIVE**

License #: AL91HK

State/Province: FL

Unit #: 8DXDNY

Vehicle #: PU971272

**Vehicle Class Driven**

Compact SUV AWD 4 door/Automatic/

Air

**Vehicle Class Charged**

Midsize 2/4 door/Automatic/Air

**Odometer Mileage/Kilometers**

Starting: 1,282 Ending: 1,633

Total: 351

**Fuel**

Starting: Full Ending: 2.0

### Trip Information

**Pickup**

Wednesday, January 25, 2023 9:34 PM

MIAMI INTL ARPT (MIA) ✈

3900 NW 25TH ST

MIAMI, FL 33142

USA

**Return**

Friday, January 27, 2023 12:06 PM

MIAMI INTL ARPT (MIA) ✈

3900 NW 25TH ST

MIAMI, FL 33142

USA

### Renter Charges

|             |                                        |          |
|-------------|----------------------------------------|----------|
| Rental Rate | Time & Distance 2 Day at \$67.00 / Day | \$134.00 |
|-------------|----------------------------------------|----------|

|         |                  |          |
|---------|------------------|----------|
| Add-Ons | Discount (5.00%) | (\$6.70) |
|---------|------------------|----------|

|                                    |         |
|------------------------------------|---------|
| Refueling Charge (\$5.43 / Gallon) | \$54.27 |
|------------------------------------|---------|

|                |                                                  |        |
|----------------|--------------------------------------------------|--------|
| Taxes and Fees | FI Waste Tire/battery Fee .02/day (\$0.02 / Day) | \$0.04 |
|----------------|--------------------------------------------------|--------|

|                                 |  |
|---------------------------------|--|
| Concession Recoupment Fee 11.11 |  |
|---------------------------------|--|

|              |         |
|--------------|---------|
| Pct (11.11%) | \$14.26 |
|--------------|---------|

|                                                  |        |
|--------------------------------------------------|--------|
| Sc Rec - FI Surchg Recov 2.00/day (\$2.00 / Day) | \$4.00 |
|--------------------------------------------------|--------|

|                   |         |
|-------------------|---------|
| Sales Tax (7.00%) | \$10.98 |
|-------------------|---------|

|                                                    |         |
|----------------------------------------------------|---------|
| Rental Car Facility Charge 5.10/day (\$5.10 / Day) | \$10.20 |
|----------------------------------------------------|---------|

|                                |        |
|--------------------------------|--------|
| Vlf Rec .50/day (\$0.50 / Day) | \$1.00 |
|--------------------------------|--------|

|       |          |
|-------|----------|
| Total | \$222.05 |
|-------|----------|

(Subject to audit)

|                                                   |            |
|---------------------------------------------------|------------|
| Amount charged on January 27, 2023 to VISA (5278) | (\$167.78) |
|---------------------------------------------------|------------|

|                                                   |           |
|---------------------------------------------------|-----------|
| Amount charged on January 27, 2023 to VISA (5278) | (\$54.27) |
|---------------------------------------------------|-----------|

|            |        |
|------------|--------|
| Amount Due | \$0.00 |
|------------|--------|

Thank you for renting  
with National Car Rental

We appreciate your business!

INVOICE

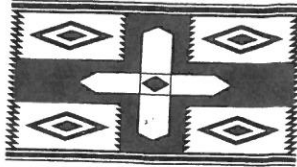
30181540

EXHIBIT

5

Bill To

SERET & SONS



RUGS & TEXTILES • FINE FURNISHINGS  
ARCHITECTURAL ELEMENTS

224 Galisteo St, Santa Fe, NM 87501  
Phone: 505.988.9151 Fax: 505.982.3027  
Shopping@SeretAndSons.com

Date

6/9/11

Salesman

Ira/Tea

Joe Sheppard  
500 W. College Ave.  
Silver City, NM 88061

SERET AND SONS INC  
224, GALISTEO STREET  
SANTA FE, NM 87501  
(505) 988-9151

SALE

MID: 1949 Store: 0001 Term: 10  
REF#: 000001  
Batch #: 475 RRN: 016117003  
06/09/20 11:59  
Trans ID: 300161647473493  
APPR CODE: 088279  
VISA  
\*\*\*\*\*4367

AMOUNT \$17,650.0

APPROVED

VISA CREDIT  
AID: A0000000031010  
TVR: 00 00 04 80 00  
TSI: F8 00

THANK YOU

CUSTOMER COPY

12,800 - C

~~that~~

1 Side table

350 - NC

1 Custom 7' sofa w/ Afghan  
rug (9/9)

13,150 -

4,500 - NC

17,650 -

Tax IS/NTTC to be provided.

All sales final • Returns accepted for exchange only.

All items must be paid in full prior to departure to final destination.

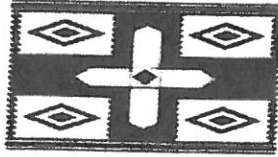
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No warranty whatsoever is given by Seret & Sons with respect to any item sold. All merchandise is sold "AS IS" and Seret & Sons makes no warranties of any kind, express or implied, and DISCLAIMS ALL WARRANTIES, INCLUDING WARRANTIES OF MERCHANTABILITY and FITNESS FOR A PARTICULAR PURPOSE.

S 0181978  
S 0181977

INVOICE

SERET & SONS



RUGS & TEXTILES • FINE FURNISHINGS  
ARCHITECTURAL ELEMENTS

224 Galisteo St. Santa Fe, NM 87501  
Phone: 505.988.9151 Fax: 505.982.3027  
Shopping@SeretAndSons.com

Date

7/24/20

Salesman

H/W/DJ

Bill To

Ship To

Joe L Valerio Plano

3 Cushions w/blue chenille  
6 Pillows w/blue chenille

750 - NC

1 Custom seat upholstered bench  
w/Silk Suzani  
Size: 5'. 2 pillows.

1250 - C

2000 - <sup>NO000</sup>9406

1 Handmade rug from Afghanistan  
4x6.

840 - NC

NTTC to be provided

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# 2

# 1

SERET AND SONS INC  
224 GALISTEO STREET  
SANTA FE, NM 87501  
(505) 988-9151

**SALE**

MID: 1949 Store: 0001 Term: 1039  
REF#: 00000001  
Batch #: 550 RRN: 019616200518  
07/14/20 10:22:30  
Trans ID: 5801965895C4537  
APPR CODE: 083316  
VISA Chip  
\*\*\*\*\*4367 \*\*/\*\*

AMOUNT \$2,000.00

APPROVED

VISA CREDIT  
AID: A0000000031010  
TVR: 00 00 04 80 00  
TS: F8 00

SERET AND SONS INC  
224 GALISTEO STREET  
SANTA FE, NM 87501  
(505) 988-9151

**SALE**

MID: 1949 Store: 0001 Term: 1039  
REF#: 00000001  
Batch #: 551 RRN: 019616400999  
07/14/20 10:32:30  
Trans ID: 580196595503105  
APPR CODE: 043338  
VISA Chip  
\*\*\*\*\*4367 \*\*/\*\*

AMOUNT \$840.00

NC

APPROVED

VISA CREDIT  
AID: A0000000031010  
TVR: 00 00 04 80 00  
TS: F8 00

THANK YOU

---

**From:** Julie Morales  
**Sent:** Thursday, July 30, 2020 1:11 PM  
**To:** Mary Rae McDonald  
**Subject:** Re: Approval Request: 7/18 B of A Dr. Shepard

Approved, if needed.

Thank you  
Julie

**JULIA MORALES**  
Chief of Staff



**WESTERN  
NEW MEXICO UNIVERSITY**

m PO Box 680 | Silver City, NM 88062  
p 1000 W. College Ave | Silver City, NM 88061  
t 575.538.6743 | f 575.538.6364  
e [Julia.Morales@wnmu.edu](mailto:Julia.Morales@wnmu.edu) | [wnmu.edu](http://wnmu.edu)

***Transforming the Future Together***

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**From:** Mary Rae McDonald <[MaryRae.McDonald@wnmu.edu](mailto:MaryRae.McDonald@wnmu.edu)>  
**Sent:** Thursday, July 30, 2020 9:41 AM  
**To:** Julie Morales <[Julie.Morales@wnmu.edu](mailto:Julie.Morales@wnmu.edu)>  
**Subject:** Approval Request: 7/18 B of A Dr. Shepard

Good Morning Julie,

Attached for review and approval is Dr. Shepard's 7/18 B of A statement (Kelley has signed for account).

Respectfully,

**Mary-Rae McDonald**  
Executive Administrative Assistant  
Office of the President

**WESTERN NEW MEXICO UNIVERSITY**  
m P.O. Box 680 | Silver City, NM 88062  
p 1000 W. College Ave | Silver City, NM 88062  
t 575.538.6239 | f 575.538.6364  
[MaryRae.McDonald@wnmu.edu](mailto:MaryRae.McDonald@wnmu.edu) | [wnmu.edu](http://wnmu.edu)

INVOICE

SERET & SONS



RUGS & TEXTILES • FINE FURNISHINGS  
ARCHITECTURAL ELEMENTS

224 Galisteo St, Santa Fe, NM 87501  
Phone: 505.988.9151 Fax: 505.982.3027  
Shopping@SeretAndSons.com

Date

Salesman

Ship To

Bill To

To: 2 Valencia Pl

Rugs

Hand knotted Afghan rugs.

#21946. 8'x10' Knots

#12641. 3'x11'

3000 - N00009408

1250 - N00009407

Hand knotted → 4250 -

ON APPROVAL

#22508. 5'3" x 11'0" Navajo rug.

1750 -

93014-4006-73110-930

Tax ID/NTTC on file.

All sales final • Returns accepted for exchange only.

All items must be paid in full prior to departure to final destination.

TERMS AND CONDITIONS OF THIS SALE ARE SPECIFIED ON THE REVERSE SIDE OF THIS INVOICE.

No warranty whatsoever is given by Seret & Sons with respect to any item sold. All merchandise is sold "AS IS" and Seret & Sons makes no warranties of any kind, express or implied, and DISCLAIMS ALL WARRANTIES, INCLUDING WARRANTIES OF MERCHANTABILITY and FITNESS FOR A PARTICULAR PURPOSE.

50182125

SERET AND SONS INC  
224 GALUSTEO STREET  
SANTA FE, NM 87501  
(505) 988-9151

**SALE**

MID: 1949 Store: 0001 Term: 1039  
REF#: 00000001  
Batch #: 571 RRN: 020916600257  
07/27/20 10:15:56  
Trans ID: 380209585568215  
APPR CODE: 061073  
VISA Chip  
\*\*\*\*\*4367 \*\*/

**AMOUNT \$4,250.00**

APPROVED

VISA CREDIT  
AID: A0000000031010  
TVR: 00 00 04 80 00  
TS: F8 00

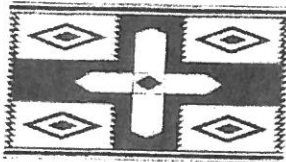
THANK YOU

CUSTOMER COPY

INVOICE

30198596

SERET & SONS



Date

3/29/22

Salesman

H/A/Di

Bill To

Joseph Shephard

Ship To

WIGS & TEXTILES • FINE FURNISHINGS  
ARCHITECTURAL ELEMENTS  
224 Galisteo St, Santa Fe, NM 87501  
Phone: 505.988.9151 Fax: 505.982.3027  
Shopping@SeretAndSons.com

3 Indian old teak trunks with  
carvings. @ \$1000 each.

N00009403  
9404  
9405

3000 -

Shelves

SERET AND SONS INC  
224 GALISTEO STREET  
SANTA FE, NM 87501  
(505) 988-9151

SALE

MID: 1949 Store: 0001 Term: 1039  
REF#: 00000001  
Batch #: 674 RRN: 208818408932  
03/29/22 12:11:33  
Trans ID: 382088654938782  
APPR CODE: 061051  
VISA Chip  
\*\*\*\*\*5278

93014-400e-73110-930

AMOUNT \$3,000.00

APPROVED

VISA CREDIT  
AID: A0000000031010  
TVR: 00 00 04 80 00  
TS: F8 00

THANK YOU

CUSTOMER COPY

Pick up

All sales final • Returns accepted for exchange only.

All items must be paid in full prior to departure to final destination.

TERMS AND CONDITIONS OF THIS SALE ARE SPECIFIED ON THE REVERSE SIDE OF THIS INVOICE.

No warranty whatsoever is given by Seret & Sons with respect to any item sold. All merchandise is sold "AS IS" and Seret & Sons makes no warranties of any kind, express or implied, and DISCLAIMS ALL WARRANTIES, INCLUDING WARRANTIES OF MERCHANTABILITY and FITNESS FOR A PARTICULAR PURPOSE.

# EXHIBIT 6

**From:** Sheb Mirando <sheb@lloyd-architects.com>  
**Sent:** Tuesday, June 16, 2020 7:00:44 AM  
**To:** Joseph Shepard <Joseph.Shepard@wnmu.edu>  
**Cc:** Wayne Lloyd <wlloyd@lloyd-architects.com>  
**Subject:** 1929 WNMU/ 502 College Ave SD Set

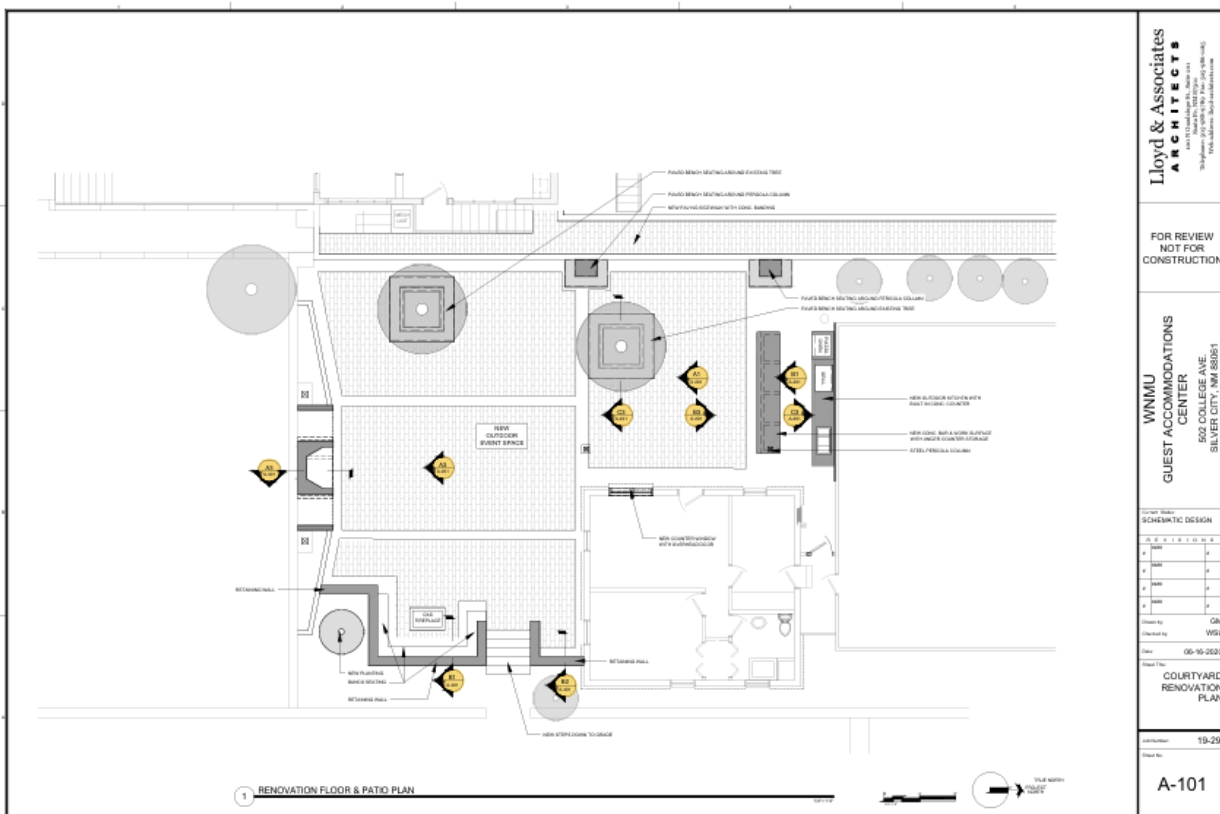
**Please be cautious**  
This email was sent from outside of WNMU

Hello Joe,

Attached is a set for your review if you would like previous to our meeting this Thursday. We will have the drawings printed for you when we meet.

Regards,

Sheb



# WNMU OFFICE ADA ACCESS RAMP AND STEPS

502 10TH STREET  
SILVER CITY, NM

PROJECT LOCATION MAP - SILVER CITY



## INDEX OF SHEETS

|     |                                |
|-----|--------------------------------|
| G-1 | COVER SHEET                    |
| G-2 | PROJECT NOTES, PROJECT CONTROL |
| C-1 | SITE GRADING PLAN              |
| C-2 | SITE LAYOUT PLAN               |
| C-3 | EXISTING UTILITIES             |
| C-4 | SITE DETAILS                   |
| C-5 | SITE DETAILS                   |
| C-6 | SITE DETAILS                   |

|           |
|-----------|
| 10/31/22  |
| DATE      |
| REVISIONS |
|           |
|           |

WNMU OFFICE  
ADA ACCESS RAMP AND STEPS  
502 10TH STREET  
SILVER CITY, NM

INFO@WEBERENG.NET  
(575) 388-2032  
P.O. BOX 5132  
SILVER CITY, NM 88062  
www.weber-eng.net



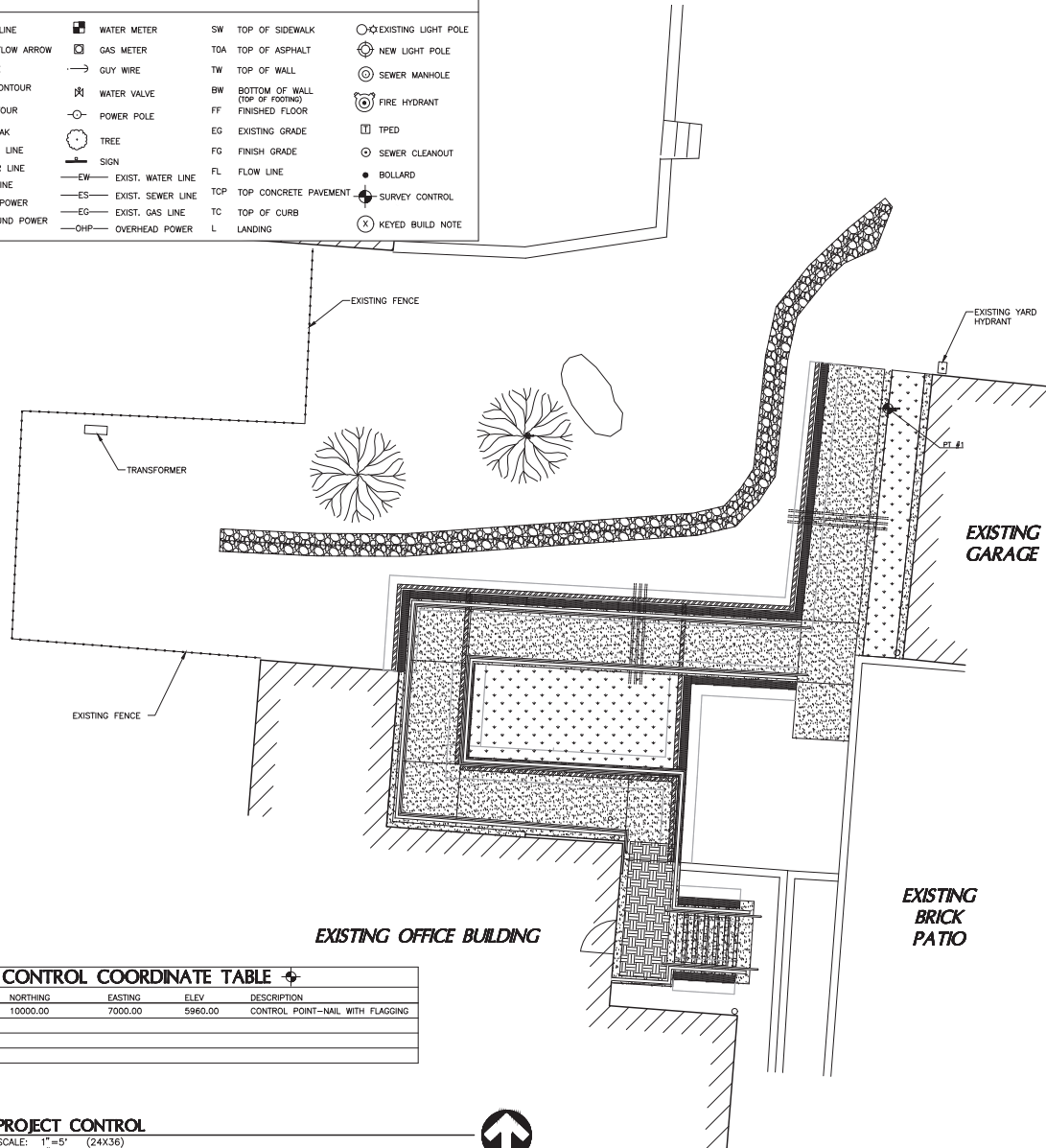
COVER SHEET

G-1

SHEET

**LEGEND**

|                     |                      |                                    |                     |
|---------------------|----------------------|------------------------------------|---------------------|
| PROPERTY LINE       | WATER METER          | SW TOP OF SIDEWALK                 | EXISTING LIGHT POLE |
| DRAINAGE FLOW ARROW | GAS METER            | TOA TOP OF ASPHALT                 | NEW LIGHT POLE      |
| FENCE LINE          | GUY WIRE             | TW TOP OF WALL                     | SEWER MANHOLE       |
| EXISTING CONTOUR    | WATER VALVE          | BW BOTTOM OF WALL (TOP OF FOOTING) | FIRE HYDRANT        |
| FINAL CONTOUR       | POWER POLE           | FF FINISHED FLOOR                  | TPED                |
| GRADE BREAK         | TREE                 | EG EXISTING GRADE                  | SEWER CLEANOUT      |
| NEW WATER LINE      | SIGN                 | FG FINISH GRADE                    | BOLLARD             |
| NEW SEWER LINE      | EW EXIST. WATER LINE | FL FLOW LINE                       | SURVEY CONTROL      |
| NEW GAS LINE        | ES EXIST. SEWER LINE | TCP TOP CONCRETE PAVEMENT          | KEYED BUILD NOTE    |
| OVERHEAD POWER      | EG EXIST. GAS LINE   | TC TOP OF CURB                     |                     |
| UNDERGROUND POWER   | OHP OVERHEAD POWER   | L LANDING                          |                     |

**SURVEY CONTROL COORDINATE TABLE**

| POINT # | NORTHING | EASTING | ELEV | DESCRIPTION |
|---------|----------|---------|------|-------------|
|---------|----------|---------|------|-------------|

|   |          |         |         |                                   |
|---|----------|---------|---------|-----------------------------------|
| 1 | 10000.00 | 7000.00 | 5960.00 | CONTROL POINT--NAIL WITH FLAGGING |
|---|----------|---------|---------|-----------------------------------|

A1  
G-2
**PROJECT CONTROL**  
 SCALE: 1"=5' (24X36)  
 1"=10' (11X17)
**PROJECT NOTES**

- REFER TO EXISTING UTILITY PLAN (C-3) FOR ALL EXISTING UTILITY INFORMATION PROVIDED TO THE ENGINEER BY OTHERS. THE ENGINEER MAKES NO REPRESENTATION AS TO THE VALIDITY OR ACCURACY OF THE INFORMATION PROVIDED. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING LOCATIONS FROM UTILITY OWNERS AND MAKING SUCH FURTHER INVESTIGATIONS AS NECESSARY IN ORDER TO LOCATE SUCH PERMANENT AND TEMPORARY UTILITY APPURTENANCES PRIOR TO INITIATING EARTHWORK OPERATIONS. FOR "LOCATES" OF UNDERGROUND UTILITIES, CONTRACTOR SHALL CONTACT THE "NEW MEXICO ONE CALL SYSTEM, INC.", 1-800-321-2537 (OR 811).
- DISTURBANCE OF NATIVE VEGETATION SHALL BE KEPT TO A MINIMUM. COORDINATE WITH OWNER PRIOR TO REMOVING VEGETATION.
- CONTRACTOR SHALL VERIFY ALL STAKING WITH OWNER OR OWNER'S REPRESENTATIVE PRIOR TO CONSTRUCTION.
- ROUGH GRADING SHALL BE PERFORMED TO + OR - 0.25' TO AREAS DESIGNATED WITHIN LIMITS OF WORK ON THE PLAN. FINE GRADING SHALL BE PERFORMED TO + OR - 0.05' TO ALL AREAS.
- EXISTING RUBBLE AND TRASH SHALL BE REMOVED AND DISPOSED OF PROPERLY.
- EXTRANEEOUS MATERIALS AND LARGE DEBRIS SHALL BE REMOVED FROM CONSTRUCTION AREAS FOR 8" DEPTH.
- ALL EARTHWORK IS TO BE DONE SO THAT POSITIVE DRAINAGE OCCURS AWAY FROM ALL STRUCTURES.
- ALL SPOT ELEVATIONS DENOTE FINISHED GRADE UNLESS SPECIFIED OTHERWISE.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE DISPOSAL OF EXCESS CUT OR OBTAINING ADDITIONAL FILL MATERIAL REQUIRED FOR FINAL GRADE.
- LOCATE EXISTING UTILITIES BY HAND EXCAVATION AND PROVIDE PROTECTION FROM DAMAGE. COOPERATE WITH OWNER AND UTILITY COMPANIES FOR MAINTAINING SERVICES. DO NOT BREAK UTILITY CONNECTIONS WITHOUT FIRST COORDINATING WITH THE UTILITY PROVIDER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPORTING AND CLEANUP OF SPILLS ASSOCIATED WITH PROJECT CONSTRUCTION AND SHALL REPORT AND RESPOND TO SPILLS OF HAZARDOUS MATERIALS SUCH AS GASOLINE, DIESEL, MOTOR OILS, SOLVENTS, CHEMICALS, TOXIC AND CORROSIVE SUBSTANCES, ETC., WHICH MAY BE A THREAT TO PUBLIC HEALTH OR THE ENVIRONMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPORTING DISCOVERIES OF PAST SPILLS AND OF CURRENT SPILLS NOT ASSOCIATED WITH CONSTRUCTION. REPORTS SHALL BE MADE IMMEDIATELY TO THE NM ENVIRONMENT DEPARTMENT EMERGENCY RESPONSE AT 505-827-4308 OR 505-470-3657. THE CONTRACTOR SHALL PROPERLY HANDLE AND DISPOSE OF ALL ASPHALT PAVEMENT MATERIAL REMOVED ON THE PROJECT BY HAULING TO AN APPROVED LANDFILL IN ACCORDANCE WITH THE REGULATIONS OF THE NEW MEXICO SOLID WASTE ACT.
- CONTACT ENGINEER FOR SITE LAYOUT COORDINATES OR ELECTRONIC DESIGN DRAWING.
- SIDEWALK CROSS-SLOPE IS 1.5% UNLESS OTHERWISE NOTED, MAX. CROSS-SLOPE IS 2%.
- CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL WORK WITH ALL ENTITIES HAVING JURISDICTION.
- ALL EQUIPMENT & MATERIALS SPECIFIED SHALL BE INSTALLED AS PER MANUFACTURERS RECOMMENDATIONS. ALL EQUIPMENT & MATERIALS SPECIFIED IN THIS PLAN SET MAY ONLY BE SUBSTITUTED WITH APPROVAL FROM THE OWNER'S REPRESENTATIVE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL REMOVALS REQUIRED TO COMPLETE THE PROJECT. COORDINATE WITH THE OWNER FOR SALVAGE MATERIALS TO BE RECOVERED FOR RE-USE BY OWNER. ITEMS DESIGNATED FOR REMOVAL WITHOUT SALVAGE, UNSUITABLE CONSTRUCTION MATERIALS, PAVEMENT, AND DEBRIS FROM CLEARING AND GRUBBING ARE TO BE PLACED IN AN ENVIRONMENTALLY SUITABLE DISPOSAL SITE DECIDED UPON AND COORDINATED BY THE CONTRACTOR, WITH THE APPROPRIATE REGULATORY AGENCIES. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IN WRITING OF THE DETAILS OF DISPOSAL OPERATIONS. EXCESS ROCK WASTE, EXCAVATED MATERIAL, VEGETATIVE DEBRIS, ETC. SHALL NOT BE PLACED IN WETLAND AREAS OR AREAS WHICH MAY IMPACT ENDANGERED SPECIES OR ARCHAEOLOGICAL RESOURCES.
- PERFORM GRADING AND EXCAVATION WORK IN COMPLIANCE WITH APPLICABLE SPECIFICATIONS, REQUIREMENTS, CODES AND ORDINANCES OF THE TOWN OF SILVER CITY, AND ALL OTHER GOVERNING BODIES HAVING JURISDICTION.
- WHEN ABUTTING NEW CONSTRUCTION TO EXISTING, NEAT CUT EXISTING PAVEMENT OR SAW CUT CONCRETE TO REMOVE ANY BROKEN OR CRACKED PAVEMENT OR CONCRETE AND MATCH NEW TO EXISTING.

 NOTE: COORDINATES/ELEVATIONS ARE RELATIVE TO LOCAL  
 SURVEY COORDINATES AT BASE POINT:  
 N 10000.00  
 E 7000.00  
 EL 5960.00
10/31/22  
DATE  
REVISIONS
 WNMU OFFICE  
 ADA ACCESS RAMP AND STEPS  
 502 10TH STREET  
 SILVER CITY, NM

 INFO@WEBERENGINEERING.NET  
 (575) 388-2062  
 P.O. BOX 5132  
 SILVER CITY, NM 88062  
 www.weber-eng.net

 WEBER  
 ENGINEERING

 PROJECT CONTROL  
 PROJECT NOTES

 G-2  
 SHEET

**NOTE:**  
WALL CAPS ARE NOT SHOWN IN PLAN VIEW. SEE  
WALL DETAILS AND KEYED CONSTRUCTION NOTES FOR  
WALLS WITH CAPS.

GUARDRAIL AND HANDRAIL NOTES:

2. GUARDRAIL SHALL BE 42" HEIGHT AND HANDRAIL SHALL BE 36" HEIGHT. POSTS SHALL BE INSTALLED AT MANUFACTURER'S RECOMMENDED SPACING USING MANUFACTURER'S POST ATTACHMENT BRACKETS SUITED FOR CONCRETE INSTALLATION.
3. HANDRAIL SHALL BE MOUNTED ON GUARDRAIL POSTS USING THE MANUFACTURER PROVIDED MOUNTING BRACKETS AND RECOMMENDED SPACING.
4. HANDRAIL GRIPPING SURFACES AND ALL SPACINGS ADJACENT TO THEM SHALL BE FREE OF SHARP OR ABRASIVE ELEMENTS AND SHALL HAVE ROUNDED EDGES.
5. CONSTRUCT HANDRAIL TO MEET REQUIREMENTS OF ADAAG/ANSI
6. USE CABLE RAILING SYSTEM DESIGNED FOR COMMERCIAL APPLICATIONS.
7. INSTALL ALL COMPONENTS AS PER MANUFACTURER'S INSTRUCTIONS.
8. PLACE RAILING POSTS AT 4' FROM EDGE OF CONCRETE TO CENTER OF POST, OR AS RECOMMENDED BY MANUFACTURER.
9. COORDINATE GUARDRAIL AND HANDRAIL COLOR WITH OWNER.

— TRANSFORMER

**EXISTING  
GARAGE**

—EXISTING DOWNSPOUT

MATCH EX  
TO 50.00

**EXISTING  
BRICK  
PATIO**

**KEYED CONSTRUCTION NOTES** (X)

- 1 BUILD NEW RETAINING WALL WITH CAP (WALL 1 TO WALL 5). SEE DETAIL A1/C-5
- 2 BUILD NEW SIDEWALK BETWEEN FLUSH CURB AND RETAINING WALL WITH INTEGRATED BRICK OR TERRA COTTA/BRICK RED COLOR (COORDINATE COLOR WITH OWNER). SEE DETAILS A2, C3, D3/C-4
- 3 BUILD NEW SIDEWALK BETWEEN RETAINING WALLS WITH INTEGRATED TERRA COTTA/BRICK RED COLOR (COORDINATE COLOR WITH OWNER). SEE DETAILS B1, C3, D3/C-4
- 4 BUILD NEW RETAINING WALL, NO CAP (WALL 7 TO WALL 9). SEE DETAILS A4 & B4/C-5, A1/C-6
- 5 INSTALL 42" HIGH CABLE RAILING GUARDRAIL WITH HANDRAIL AT 36" ABOVE GRADE AT ALL RAMP, LANDINGS WITHIN RAMPS, AND STEPS. SEE NOTES THIS SHEET AND NORTH RETAINING WALL ELEVATION C1/C-6
- 6 AMEND SOIL 3" BELOW FINISHED GRADE ELEVATION FOR LANDSCAPE AREA. OWNER TO PROVIDE PLANTS.
- 7 INSTALL 3" - 2" CONDUIT SLEEVES MIN. 1' BELOW BOTTOM OF WALL/FOUNDATION FOR IRRIGATION.
- 8 BUILD 8" X 12" FLUSH CURB (NO COLOR ADDED). SEE DETAIL A2/C-4
- 9 RESHAPE SLOPE TO CONSTRUCT FLOWLINE AND BUILD RIVER ROCK SWALE. SEE DETAIL A2/C-6
- 10 BUILD SIDEWALK AT FLUSH RETAINING WALL WITH STRAIGHT CURB AT BACK OF SIDEWALK ADJACENT TO EXISTING BUILDING. SIDEWALK AND CURB TO HAVE INTEGRATED TERRA COTTA/BRICK RED COLOR. SEE DETAILS B3, C3, D3/C-4
- 11 BUILD NEW RETAINING WALL WITH CAP (WALL 6). SEE DETAIL A4, C1/C-5
- 12 BUILD NEW 6" WIDE CURB BORDER AT EDGES OF EXISTING PORCH (NO COLOR ADDED). INFILL WITH BRICK PAVERS TO ELEVATIONS SHOWN. SEE DETAIL B2/C-4
- 13 BUILD 15" WIDE SIDEWALK AT BOTTOM OF STEPS (NO COLOR ADDED TO CONCRETE) ADJACENT TO EXISTING BRICK PAVERS TO PROVIDE SURFACE FOR PORCH. SEE NOTES THIS SHEET.
- 14 BUILD TURNDOWN SIDEWALK ADJACENT TO RETAINING WALL WITH INTEGRATED TERRA COTTA/BRICK RED COLOR (COORDINATE COLOR WITH OWNER). SEE DETAIL A1, C3, D3/C-4
- 15 BUILD CONCRETE STEPS WITH BRICK NOSING TO MATCH EXISTING STEPS AT SITE (NO COLOR ADDED TO CONCRETE). SEE DETAIL C4/C-5
- 16 INSTALL 42" HIGH CABLE RAILING GUARDRAIL WITHOUT HANDRAIL AT ENTRY PORCH. SEE NOTES THIS SHEET.
- 17 BUILD 6"X12" FLUSH CURB ADJACENT TO EXISTING GARAGE FOUNDATION. SEE DETAIL A2/C-4
- 18 BUILD TURNDOWN SIDEWALK ADJACENT TO EXISTING PATIO CURB WITH INTEGRATED TERRA COTTA/BRICK RED COLOR (COORDINATE COLOR WITH OWNER). SEE DETAILS A3, C3, D3/C-4
- 19 BUILD SIDEWALK AT FLUSH RETAINING WALL ADJACENT TO EXISTING CONCRETE REVEAL ON BUILDING. ADJUST DOWNPOUT AS SHOWN IN DETAIL. SEE DETAILS C3, D3/C-4

10/31/22  
DATE

REVISIONS

WNMU OFFICE  
ACCESS RAMP AND STEPS  
502 10TH STREET  
SILVER CITY, NM

INFO@WEBER-ENG.NET  
(575) 388-2082  
P.O. BOX 5132  
SILVER CITY, NM 88062  
www.weber-eng.net



WEBER  
ENGINEERING

## SITE GRADING PLAN

## SITE GRADING PLAN

SCALE: 1"=4' (24X36)  
1"=8' (11X17)

### STEPS AND ENTRY

SCALE:  $1''=2'$  (24X36)  
 $1''=4'$  (11X17)

C-1

SHEET

**EXISTING GUEST HOUSE**

**NOTE:**  
WALL CAPS ARE NOT SHOWN IN PLAN VIEW. SEE  
WALL DETAILS AND KEYED CONSTRUCTION NOTES FOR  
WALLS WITH CAPS.

GUARDRAIL AND HANDRAIL NOTES:

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2. HANDRAIL SHALL BE MOUNTED ON GUARDRAIL POSTS USING THE MANUFACTURER PROVIDED MOUNTING BRACKETS AND RECOMMENDED SPACING.
3. HANDRAIL GRIPPING SURFACES AND ALL SPACINGS ADJACENT TO THEM SHALL BE FREE OF SHARP OR ABRASIVE ELEMENTS AND SHALL HAVE ROUNDED EDGES.
4. CONSTRUCT HANDRAIL TO MEET REQUIREMENTS OF ADAAG/ANSI
5. USE CABLE RAILING SYSTEM DESIGNED FOR COMMERCIAL APPLICATIONS.
6. INSTALL ALL COMPONENTS AS PER MANUFACTURER'S INSTRUCTIONS.
7. PLACE RAILING POSTS AT 4' FROM EDGE OF CONCRETE TO CENTER OF POST, OR AS RECOMMENDED BY MANUFACTURER.
8. COORDINATE GUARDRAIL AND HANDRAIL COLOR WITH OWNER.

**EXISTING  
GARAGE**

**KEYED CONSTRUCTION NOTES** (X)

- 1 BUILD NEW RETAINING WALL WITH CAP (WALL 1 TO WALL 5). SEE DETAIL A1/C-5
- 2 BUILD NEW SIDEWALK BETWEEN FLUSH CURB AND RETAINING WALL, WITH INTEGRATED BRICK OR TERRA COTTA/BRICK RED COLOR (COORDINATE COLOR WITH OWNER). SEE DETAILS A2, C3, D3/C-4
- 3 BUILD NEW SIDEWALK BETWEEN RETAINING WALLS WITH INTEGRATED TERRA COTTA/BRICK RED COLOR (COORDINATE COLOR WITH OWNER). SEE DETAILS B1, C3, D3/C-4
- 4 BUILD NEW RETAINING WALL, NO CAP (WALL 7 TO WALL 9). SEE DETAILS A4 & B4/C-5, A1/C-6
- 5 INSTALL 42" HIGH CABLE RAILING GUARDRAIL WITH HANDRAIL AT 36" ABOVE GRADE AT ALL RAMPs, LANDINGS WITHIN RAMPS, AND STEPS. SEE NOTES THIS SHEET AND NORTH RETAINING WALL ELEVATION C1/C-6
- 6 AMEND SOL 3' BELOW FINISHED GRADE ELEVATION FOR LANDSCAPE AREA. OWNER TO PROVIDE PLANTS.
- 7 INSTALL 3" - 2" CONDUIT SLEEVES MIN. 1' BELOW BOTTOM OF WALL FOUNDATION FOR IRRIGATION.
- 8 BUILD 8" X 12" FLUSH CURB (NO COLOR ADDED). SEE DETAIL A2/C-4
- 9 RESHAPE SLOPE TO CONSTRUCT FLOWLINE AND BUILD RIVER ROCK SWALE. SEE DETAIL A3/C-6
- 10 BUILD SIDEWALK AT FLUSH RETAINING WALL WITH STRAIGHT CURB AT BACK OF SIDEWALK ADJACENT TO EXISTING BUILDING. SIDEWALK AND CURB TO HAVE INTEGRATED TERRA COTTA/BRICK RED COLOR. SEE DETAIL B3, C3, D3/C-4
- 11 BUILD NEW RETAINING WALL WITH CAP (WALL 6). SEE DETAIL A4, C1/C-5
- 12 BUILD NEW 8" WIDE CURB BORDER AT EDGES OF EXISTING PORCH (NO COLOR ADDED). INFILL WITH CURB PAVERS TO ELEVATIONS SHOWN. SEE DETAIL B2/C-4
- 13 BUILD 15" WIDE SIDEWALK AT BOTTOM OF STEPS (NO COLOR ADDED TO CONCRETE) ADJACENT TO EXISTING BRICK PAVERS TO PROVIDE SURFACE FOR POST BASES.
- 14 BUILD TURNDOWN SIDEWALK ADJACENT TO RETAINING WALL WITH INTEGRATED TERRA COTTA/BRICK RED COLOR (COORDINATE COLOR WITH OWNER). SEE DETAIL A1, C3, D3/C-4
- 15 BUILD CONCRETE STEPS WITH BRICK NOSING TO MATCH EXISTING STEPS AT SITE (NO COLOR ADDED TO CONCRETE). SEE DETAIL C4/C-5
- 16 INSTALL 42" HIGH CABLE RAILING GUARDRAIL WITHOUT HANDRAIL AT ENTRY PORCH. SEE NOTES THIS SHEET.
- 17 BUILD 6"x12" FLUSH CURB ADJACENT TO EXISTING GRADE FOUNDATION. SEE DETAIL A2/C-4
- 18 BUILD TURNDOWN SIDEWALK ADJACENT TO EXISTING PATIO CURB WITH INTEGRATED TERRA COTTA/BRICK RED COLOR (COORDINATE COLOR WITH OWNER). SEE DETAILS A3, C3, D3/C-4
- 19 BUILD SIDEWALK AT FLUSH RETAINING WALL ADJACENT TO EXISTING CONCRETE REVENGE ON BUILDING. ADJUST DOWNSPOUT AS SHOWN IN DETAIL. SEE DETAILS C3, D1, D3/C-4

10/31/22  
DATE

REVISIONS

WNMU OFFICE  
CESS RAMP AND STEPS  
002 10TH STREET  
SILVER CITY, NM

INFO@WEBER-ENG.NET  
(575) 388-2082  
P.O. BOX 5132  
SILVER CITY, NM 88062  
[www.weber-eng.net](http://www.weber-eng.net)



## SITE LAYOUT PLAN

C-2

SHEET

**A1**  
**C-2** **SITE LAYOUT PLAN**  
SCALE: 1"=4' (24X36)  
1"=8' (11X17)

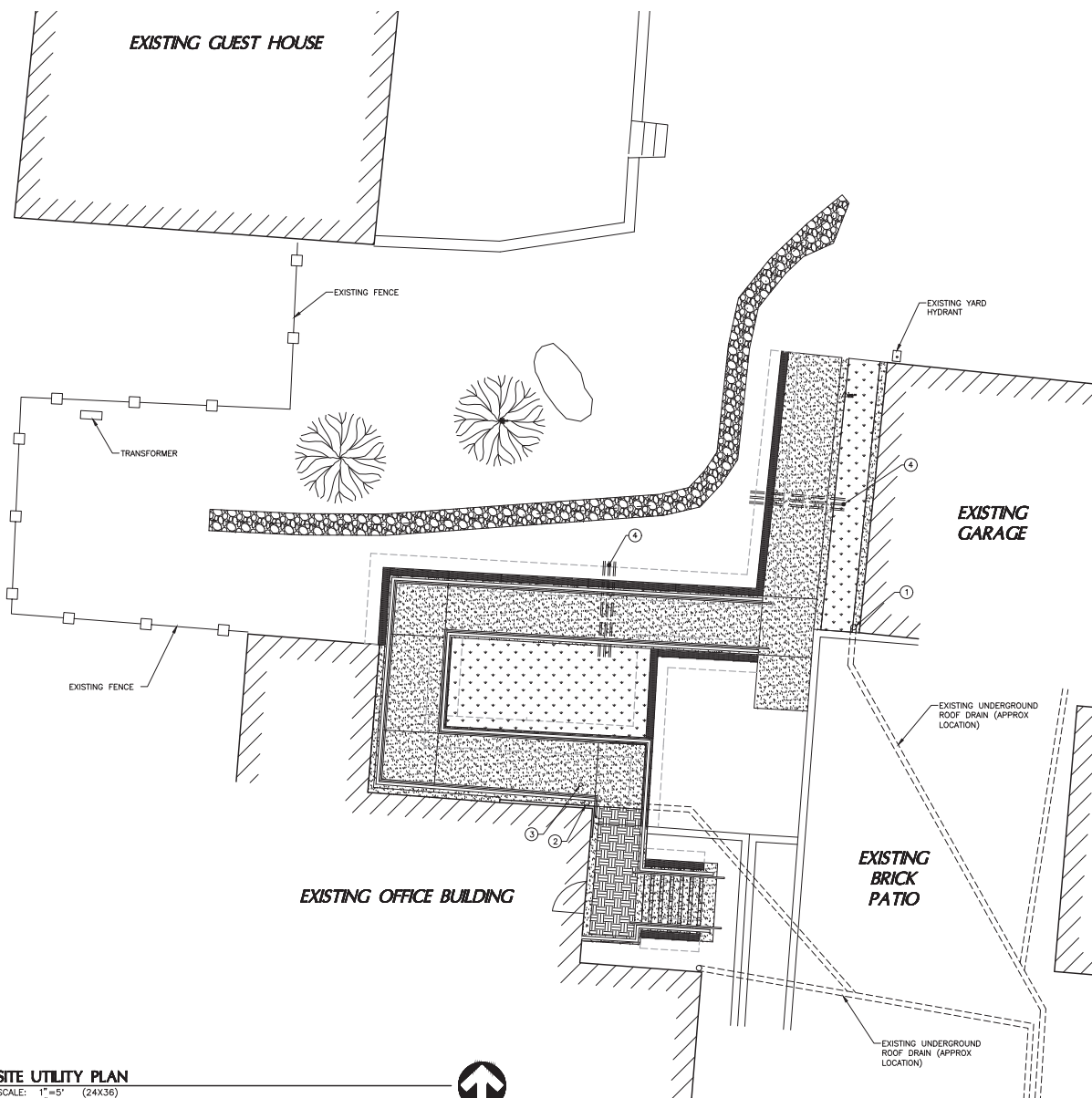
**STEPS AND ENTRY**

SCALE:  $1''=2'$  (24X36)  
 $1''=4'$  (11X17)

NOT FOR CONSTRUCTION

C-2

SHEET



# KEYED UTILITY NOTES (X)

1. BUILD NEW CURB AROUND EXISTING DOWNSPOUT
2. INSTALL DOWNSPOUT ADAPTER TO 4" PVC AT SIDEWALK. INSTALL NEW 4" PVC TO CONNECT TO EXISTING PVC, WITH ELBOWS AND 4" TO 6" ADAPTER AS NECESSARY. SEE DETAIL D1/C-4
3. ADJUST CLEANOUT TO GRADE. SEE DETAIL B3/C-6
4. INSTALL 3 - 2" CONDUIT SLEEVES MIN. 1' BELOW BOTTOM OF WALL FOUNDATION FOR IRRIGATION

|           |
|-----------|
| 10/31/22  |
| DATE      |
| REVISIONS |
|           |
|           |

WMU OFFICE  
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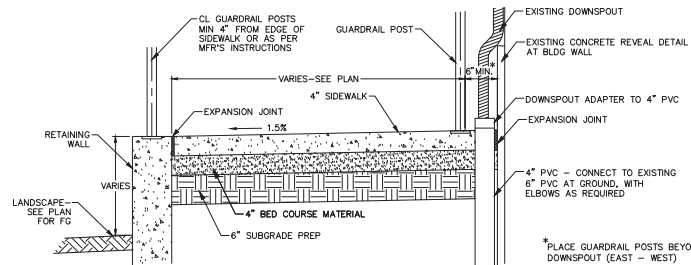


SITE UTILITY PLAN

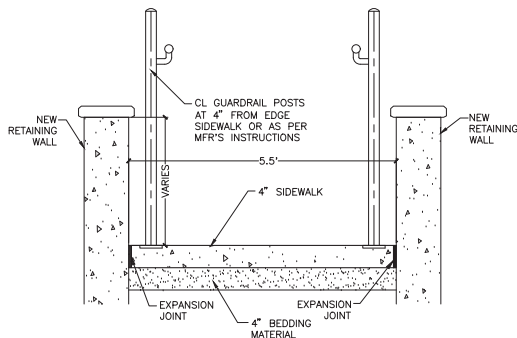
**A1**  
**C-3**  
**SITE UTILITY PLAN**  
SCALE: 1"=5' (24X36)  
1"=10' (11X17)



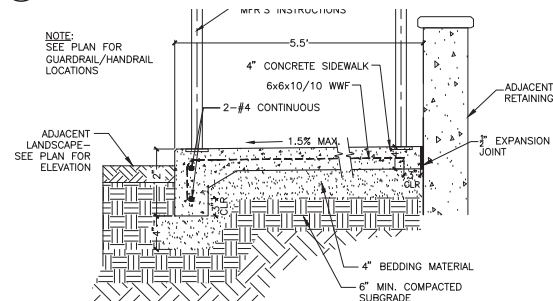
NOT FOR CONSTRUCTION  
**C-3**  
SHEET



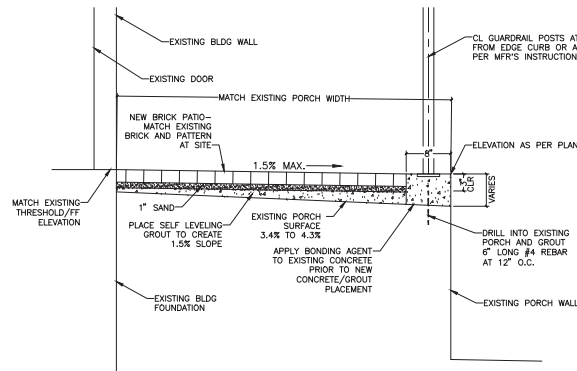
**D1**  
**C-4** **SIDEWALK AT FLUSH RETAINING WALL WITH DOWNSPOUT**  
SCALE: NTS



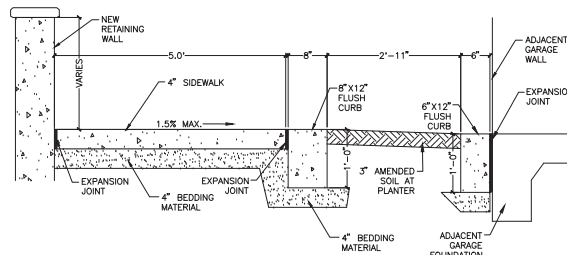
**B1**  
**C-4** **SIDEWALK BETWEEN RETAINING WALLS**  
SCALE: NTS



**A1**  
**C-4** **TURNDOWN SIDEWALK ADJACENT TO RETAINING WALL**  
SCALE: NTS



**B2**  
**C-4** **CURB BORDER WITH BRICK INFILL AT EXISTING PORCH**  
SCALE: NTS

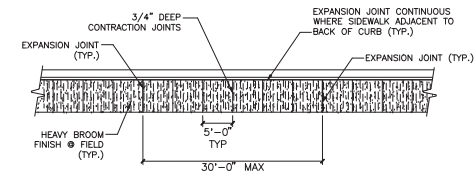


**A2**  
**C-4** **SIDEWALK BETWEEN FLUSH CURB AND RETAINING WALL**  
SCALE: NTS

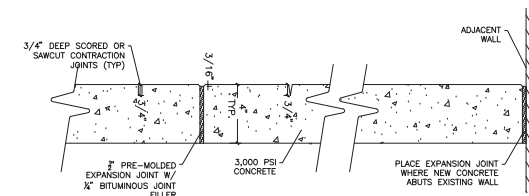
#### CURB AND SIDEWALK NOTES

1. ALL CONCRETE CURBS, TRANSITIONS AND SIDEWALKS SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI.
2. MAXIMUM SPACING OF SCORED CONTRACTION JOINTS SHALL BE 5'.
3. ONE HALF INCH THICK EXPANSION JOINTS SHALL BE LOCATED AT TANGENT POINTS IN CURB RETURN, TRANSITIONS, AND AT A MAXIMUM OF 30-FEET INTERVALS. EXPANSION MATERIAL SHALL ALSO BE PLACED BETWEEN CURBS AND ADJACENT STRUCTURES, SIDEWALKS, DRIVEWAYS AND HANDICAP RAMPS. 1/2\"/>
- 4. CONCRETE CURB SHALL BE FINISHED WITH A STEEL TROWEL, FOLLOWED BY BRUSHING WITH A FINE BRUSH ALONG THE LENGTH OF THE CURB. SIDEWALK SHALL BE FINISHED WITH A FLOAT FOLLOWED BY A BROOMED FINISH TRANSVERSE TO THE LENGTH OF THE SIDEWALK, UNLESS OTHERWISE SPECIFIED.
- 5. SINGLE CURB MAY BE CONSTRUCTED BY THE USE OF FORMS OR MAY BE SLIP FORMED.
- 6. BED COURSE MATERIAL SHALL BE PLACED UNDER CURBS AND SIDEWALKS TO DEPTH AS SPECIFIED. BED COURSE MATERIAL SHALL CONSIST OF GRAVELS, SAND, GRAVEL, CRUSHED STONE, OR OTHER GRANULAR AGGREGATE WITH 100% PASSING THE 1/2\"/>

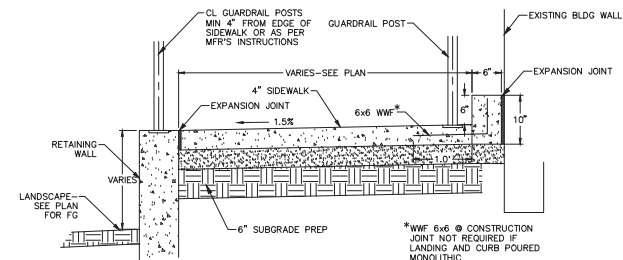
\* PLACE GUARDRAIL POSTS BEYOND DOWNSPOUT (EAST - WEST)



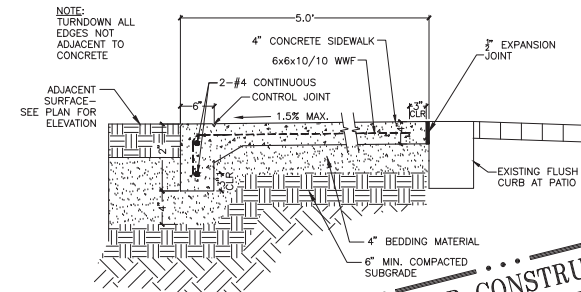
**D3**  
**C-4** **SIDEWALK PLAN**  
SCALE: NTS



**C3**  
**C-4** **SIDEWALK AND JOINT DETAIL**  
SCALE: NTS



**B3**  
**C-4** **STRAIGHT CURB AT BACK OF SIDEWALK**  
SCALE: NTS



**A3**  
**C-4** **TURNDOWN SIDEWALK ADJACENT TO PATIO**  
SCALE: NTS

08/15/22  
DATE  
REVISIONS

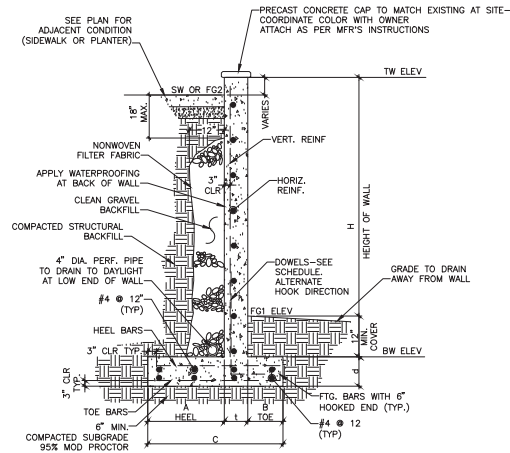
WNMU OFFICE  
ADA ACCESS RAMP  
502 10TH STREET  
SILVER CITY, NM

INFO@WEBERENGINEERING.NET  
(575) 388-2092  
P.O. BOX 5132  
SILVER CITY, NM 88062  
www.weber-eng.net

WEBER  
ENGINEERING

SITE  
DETAILS

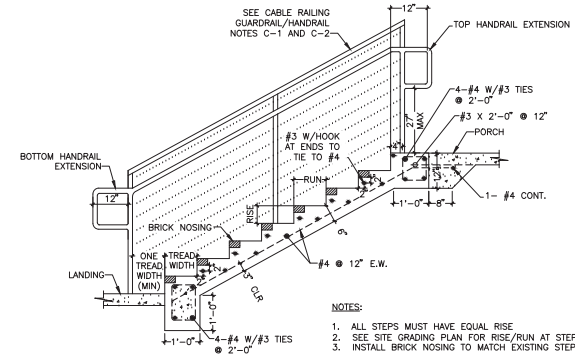
**C-4**  
SHEET

**DIMENSIONS & REINFORCEMENT**

| SEGMENT/LOCATION | t  | d   | H (MAX) | A HEEL | B TOE | C      | STEM            |               | FOOTING         |                  | DOWELS (SPACE/LAP/FTG. EMBED) | REMARKS                                                                                    |
|------------------|----|-----|---------|--------|-------|--------|-----------------|---------------|-----------------|------------------|-------------------------------|--------------------------------------------------------------------------------------------|
|                  |    |     |         |        |       |        | VERTICAL REINF. | HORIZ. REINF. | TOE BARS REINF. | HEEL BARS REINF. |                               |                                                                                            |
| WALL 6           | 8" | 10" | 2'-10"  | 1'-3"  | 1'-0" | 2'-11" | #5 @ 15"        | #4 @ 12"      | #5 @ 15"        | #5 @ 15"         | #5 @ 15" / 12" / 6"           | SIDEWALK/PLANTER HIGHER THAN EXTERIOR FINISHED GRADE, HEEL UNDER SW/PLANTER. NO SURCHARGE. |

**C1 RETAINING WALL 6**

SCALE: NTS

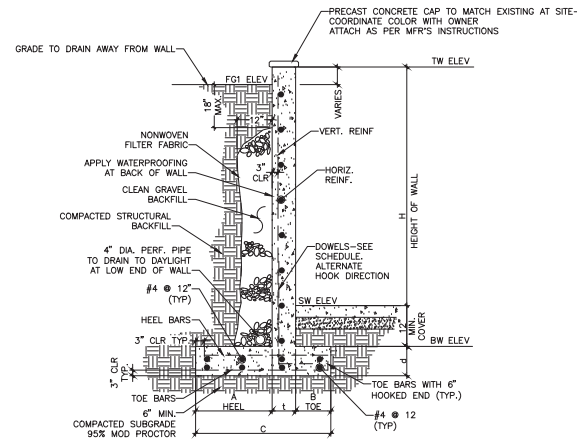
**C4 CONCRETE STEPS DETAIL**

SCALE: NTS

**RETAINING WALL NOTES (ALL WALLS):**

RETAINING WALLS AND SURROUNDING GRADE SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS:

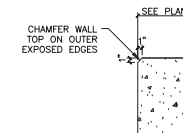
- SOIL UNIT WEIGHT: 110 PCF
- CONCRETE STRENGTH SHALL BE 4,000 PSI. REINFORCEMENT: ASTM A615, GRADE 60
- USE CLEAN, WELL DRAINING GRAVEL BEHIND ALL WALLS WITH A NONWOVEN GEOTEXTILE FABRIC SEPARATING SOILS FROM GRAVEL.
- DOWEL INTERSECTING WALLS TOGETHER USING AN EPOXY ANCHOR SYSTEM. SPACE ANCHORS AS PER MANUFACTURER'S RECOMMENDATION.
- RECOMMENDED SPACING FOR 3/4" X 3/4" CONTRACTION JOINTS: WALL HEIGHT 8' OR LESS = 3 TIMES WALL HEIGHT. WALL HEIGHT BETWEEN 8' AND 12' = 2 TIMES WALL HEIGHT.
- AFTER REMOVAL OF FORMS, FILL VOIDS WITH CEMENT MORTAR. RUB WITH APPROPRIATE CEMENT FINISHING ABRASIVE TO CREATE SMOOTH, EVEN SURFACE.
- STUCCO EXPOSED AREAS OF FINISH WALL EXTERIOR--COORDINATE COLOR WITH OWNER.
- INCORPORATE WALL LIGHTING AS PER OWNER'S DIRECTION.

**DIMENSIONS & REINFORCEMENT**

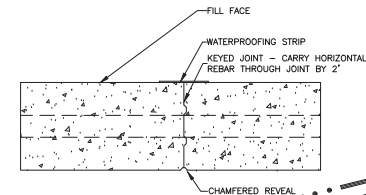
| SEGMENT/LOCATION | t  | d   | H (MAX) | A HEEL | B TOE | C      | STEM            |               | FOOTING         |                  | DOWELS (SPACE/LAP/FTG. EMBED) | REMARKS                                                                                               |
|------------------|----|-----|---------|--------|-------|--------|-----------------|---------------|-----------------|------------------|-------------------------------|-------------------------------------------------------------------------------------------------------|
|                  |    |     |         |        |       |        | VERTICAL REINF. | HORIZ. REINF. | TOE BARS REINF. | HEEL BARS REINF. |                               |                                                                                                       |
| WALL 1 TO WALL 5 | 8" | 10" | 3'-10"  | 1'-3"  | 1'-0" | 2'-11" | #5 @ 15"        | #4 @ 12"      | #5 @ 15"        | #5 @ 15"         | #5 @ 15" / 12" / 6"           | SIDEWALK LOWER THAN EXTERIOR FINISHED GRADE, TOE UNDER SIDEWALK WALL DESIGNED FOR EXTERIOR SURCHARGE. |

**A1 RETAINING WALLS 1 TO 5**

SCALE: NTS

**B4 WALL CHAMFER DETAIL**

SCALE: NTS

**A4 RETAINING WALL CONSTRUCTION JOINT**

SCALE: NTS

08/15/22  
DATE

REVISIONS

WNMU OFFICE  
ADA ACCESS RAMP  
502 10TH STREET  
SILVER CITY, NMINFO@WEBERENGINEERING.NET  
(575) 388-2092  
P.O. BOX 5132  
SILVER CITY, NM 88062  
www.weber-eng.netWEBER  
ENGINEERING

SITE DETAILS

C-5

SHEET



**A1** **RETAINING WALLS 7 TO 9**  
**C-6** SCALE: NTS



FILE, NMDOT  
C UNDER

**NOT FOR CONSTRUCTION**

C-1

SHEET

# WESTERN NEW MEXICO UNIVERSITY

## Purchasing Department

MAILING ADDRESS: PO BOX 680  
SILVER CITY, NEW MEXICO 88062

Voice: (575) 538-6553

Fax: (575) 538-6394

E-mail: [invoices@wnmu.edu](mailto:invoices@wnmu.edu)

**EXHIBIT**  
**8**

## PURCHASE ORDER

Number:

**P0080212**

Purchase order expires on 06/30/2023

Please show this number on all packages and documents related to this order

Date: **11/04/22**

Vendor: COOEDU  
Cooperative Educational Services  
PO Box 81045  
Albuquerque NM 87198

Ship To: Melonie Lockhart  
1000 W College Ave  
Old Student Mem  
Silver City NM 88061

Requisition #:

**INVOICES MUST BE ITEMIZED  
SHOWING QUANTITY, UNIT PRICE AND TOTAL.  
Email Invoice: [invoice@wnmu.edu](mailto:invoice@wnmu.edu)**

Address all correspondence to the Purchasing Department  
**NM TAX EXEMPTION #01-508041-002**

**NO C.O.D ORDERS OR FREIGHT COLLECT ORDERS WILL BE ACCEPTED.  
ONLY SHIP QUANTITIES LISTED UNLESS APPROVED BY PURCHASING DEPARTMENT.**

| Item | Item Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Units   | Unit Price | Extended Price |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|------------|----------------|
| 1    | Stites Enterprises<br>CES# 2020-04N-C110-8<br>Project: 502 10th Street Ramp<br>Estimate Number 436<br>Mobilize to and from job site. Demo and haul off concrete rubble. Build ADA compliant ramps and landings with hand rail. Build header curb and stair case to suit. Add fill in areas to create drainage. Install Landscape sleeves. Install landscape rock in planter area.<br>Exclusions: Plants to be installed by others, surveying and locating utilities.<br>Mobilization and Demobilization | 1.00 EA | 182,259.46 | 182,259.46     |
|      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |         |            | CONTINUED      |

FOB: FOB Destination

TERMS: Net 30 Days

DISCOUNT:

GOVERNING LAW: State of New Mexico

ADDL. CHARGES:

BUYER: Amy Baca

TOTAL TAXES:

Director of Materials and Resource Management: *Amy Baca*

TOTAL:

93013-4006-77210-930  
Plant

\$196,992.68



ACCT DATA

ACCT DATA

VENDOR COPY

**WESTERN NEW MEXICO UNIVERSITY****Purchasing Department**MAILING ADDRESS: PO BOX 680  
SILVER CITY, NEW MEXICO 88062

Voice: (575) 538-6553

Fax: (575) 538-6394

E-mail: [invoices@wnmu.edu](mailto:invoices@wnmu.edu)**PURCHASE ORDER**

Number:

**P0080212**

Purchase order expires on 06/30/2023

Please show this number on all packages and documents related to this order

Date: **11/04/22**Vendor: COOEDU  
Cooperative Educational Services  
PO Box 81045  
Albuquerque NM 87198Ship To: Melonie Lockhart  
1000 W College Ave  
Old Student Mem  
Silver City NM 88061

Requisition #:

**INVOICES MUST BE ITEMIZED  
SHOWING QUANTITY, UNIT PRICE AND TOTAL.  
Email Invoice: [invoice@wnmu.edu](mailto:invoice@wnmu.edu)**Address all correspondence to the Purchasing Department  
**NM TAX EXEMPTION #01-508041-002****NO C.O.D ORDERS OR FREIGHT COLLECT ORDERS WILL BE ACCEPTED.  
ONLY SHIP QUANTITIES LISTED UNLESS APPROVED BY PURCHASING DEPARTMENT.**

| Item | Item Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Units   | Unit Price | Extended Price |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|------------|----------------|
| 2    | excavation and grade work import fill<br>subgrade finish cut 4" landscape sleeves and<br>raise sewer cleanout and install brass caps<br>stand up curb square tube hand rail with cable<br>railing for retainer curb<br>4" sidewalk 3000 PSI Brick Red<br>Concrete stair case<br>Basecourse and compaction<br>concrete wall with stucco<br>10 inch wide color concrete caps concrete<br>pumping walkway illumination built<br>into CMU wall. Lights placed appx 6 ft OC<br>Bond Fee<br><br>NM GRT 8.2375% | 1.00 EA | 14,733.22  | 14,733.22      |

FOB: FOB Destination

TERMS: Net 30 Days

DISCOUNT: .00

GOVERNING LAW: State of New Mexico

ADDL. CHARGES: .00

BUYER: Amy Baca

TOTAL TAXES: .00

Director of Materials and Resource Management: *Amy Baca***TOTAL: 196,992.68**93013-4006-77210-930  
Plant

\$196,992.68



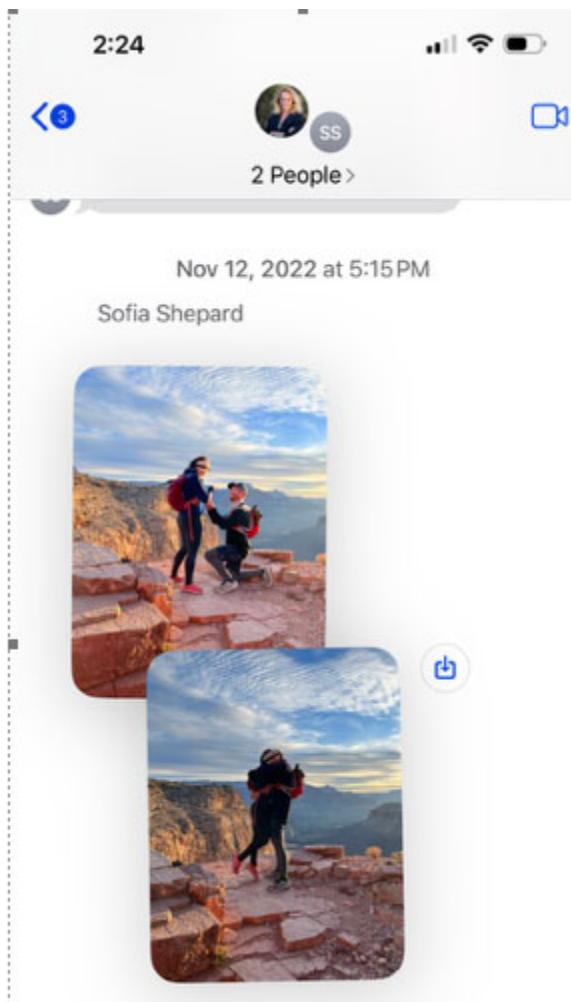
ACCT DATA

ACCT DATA

VENDOR COPY

# EXHIBIT

9



**EXHIBIT****10**

Exhibit 10 is a video that Defendant Shepard sent to his daughter of him walking around the 502 patio area before phase 2 began. A flash drive featuring the video file has been delivered to the Court and a copy of the video has been sent to Defendant Shepard and his counsel.

|                             |
|-----------------------------|
| <b>EXHIBIT</b><br><b>11</b> |
|-----------------------------|

**DECLARATION OF JOSEPH HOLGUIN**

STATE OF NEW MEXICO                     )

COUNTY OF GRANT                        )

I, Joseph Holguin, state and declare as follows:

1.       I have personal knowledge of the matters set forth below, am over the age of eighteen and am otherwise competent to make this declaration.
2.       I am a resident of the State of New Mexico.
3.       I began working at Western New Mexico University (“WNMU”) in 2010. I left university employment in 2024.
4.       For around the first ten years of my employment at the university, I worked in the IT department as the technical services and communications manager.
5.       For the final four years of my employment with the university I worked in the facilities department, the first three as a capital project manager, and my last as capital projects director.
6.       I currently work as the planning and capital projects director for Grant County.
7.       On several occasions I personally saw or experienced Dr. Joseph Shepard, then-President of the university, misusing the resources of the university, including employee time.
8.       In 2020, the university received designs for a patio to be built off of 502 West College Ave, a property on WNMU’s campus and adjacent to the president’s house.
9.       The project was phased in two parts.
10.      On or around June 2022, the first phase, a large brick patio connecting the president’s house to the 502 property, was completed.
11.      On or around October 31, 2022, the facilities department received plans from an engineering firm detailing how to build phase two of the project.

12. Originally, phase two was for an ADA accessibility ramp running from a nearby driveway to the completed portion of the patio and the 502 property itself.

13. In December 2022, I learned that the contractor that WNMU had selected could not complete the project, and I began looking for a new contractor.

14. On or around January 2023, the president of the university, Dr. Shepard, began contacting me almost daily requesting statutes updates related to the 502 patio project.

15. Around this time, during a phone call, Dr. Shepard insisted that the project needed to be finished quickly because he only had one daughter.

16. I believed this comment was in reference to the fact that Dr. Shepard's only daughter was planning to hold her wedding on WNMU's campus, including the reception on the 502 patio.

17. After that phone call, Dr. Shepard would later say that the project needed to be finished in time for WNMU's graduation ceremony on May 5, 2023.

18. Because of these conversations and the pressure Dr. Shepard put on me, I began to prioritize the completion of phase two to be done in time for the wedding.

19. On or about January 16, 2023, WNMU selected a second contractor, Bradbury Stamm, to complete phase two of the patio project.

20. On about March 2, 2023, WNMU processed a purchase order for Bradbury Stamm to begin work on phase two. The contractor began work shortly thereafter.

21. In April 2023, Dr. Shepard began to be more hands on regarding the completion of phase two.

22. On or about April 18, 2023, for example, Shepard went directly to Bradbury Stamm and requested they add two power pedestals (elevated outdoor outlets), required a change in the site grading, and instructed that an additional retaining wall be added to phase two.

23. Usually, university leadership does not directly interact with contractors and requests for changes are made through the facilities department,

24. The change in site grading led to numerous sewer breaks.

25. These changes and sewer breaks set back the anticipated completion date. I told Dr. Shepard that although we would not complete the project in time for graduation on May 5, 2023, we would have the project done in time for his daughter's wedding on May 13, 2023.

26. On or about April 20, 2023, Shepard requested additional brickwork to be added to the project.

27. This addition consumed the brick WNMU had on hand.

28. Bradbury Stamm also had to submit change orders to reflect the extra labor required to meet Dr. Shepard's April requests regarding phase two of the patio project.

29. Around the same time, Shepard requested WNMU staff to drop utility lines deeper into the earth.

30. Having WNMU staff and Bradbury Stamm contractors working on the project at the same time led to us being physically in the way of each other.

31. On or about April 25, 2023, Shepard requested the removal of two trees and the planting of six new different trees in the patio area.

32. Around the same time, Shepard also requested additional brickwork to be added to the front of the president's house, using the extra I ordered after his previous request.

33. Shepard also asked for gravel to be installed in the driveway.

34. Despite all of the change orders and micromanagement by Shepard, phase two was completed before his daughter's wedding.

35. Although phase two began as a relatively straight-forward ADA accessibility ramp, Dr. Shepard expanded the scope of phase two of the patio project, enlarging the size of the original patio.

36. The extra power pedestals, brick work, site grading, landscaping, and installation of gravel were all added due to Shepard's direction, and beyond the scope of phase two's original plan.

37. Based on my communications and interactions with him, I believe that Shepard's actions in transforming the project was motivated by his plan to accommodate his daughter's wedding on WNMU's campus.

38. I, Joseph Holguin, affirm, under the penalty of perjury under the laws of the State of New Mexico, that the above state is true and correct.

39. Further, declarant sayeth not.

Date: May 9th, 2025

Signed: \_\_\_\_\_

Joseph Holguin

# EXHIBIT 12

**From:** [Joseph Shepard](#)  
**To:** [Joseph Holguin](#)  
**Cc:** [Kelley Riddle](#); [Kevin Matthes](#)  
**Subject:** Re: 502 patio ADA ramp  
**Date:** Thursday, November 17, 2022 8:15:40 PM  
**Attachments:** [image001.png](#)

---

Move forward.

Get [Outlook for iOS](#)

---

**From:** Joseph Holguin <holguinj1@wnmu.edu>  
**Sent:** Thursday, November 17, 2022 3:49:10 PM  
**To:** Joseph Shepard <Joseph.Shepard@wnmu.edu>  
**Cc:** Kelley Riddle <Kelley.Riddle@wnmu.edu>; Kevin Matthes <Kevin.Matthes@wnmu.edu>  
**Subject:** 502 patio ADA ramp

Good afternoon, Dr. Shepard.

After we met to cover the electrical needs for the 502 patio, Rohan went back to revise his quote and noticed his quantities were off. He underestimated the engineering needs of the project and came back with \$100k+ of change orders in addition to the electrical requirements. After speaking with him Friday, it was clear his initial pricing was based on assumed parameters, not the civil drawings. I asked him to redo his estimate and ensure the quantities matched his takeoffs. We are under 300k, but I wanted you to know the reasoning for the cost increase and delay. Currently, we are looking at \$286,590.42 plus \$7600.00 for engineering. With your approval, we will increase the P.O. and move forward.

Joe

## Joseph Holguin

Director of Capital Projects

### Western New Mexico University

1000 W. College Ave P.O. Box 680

Silver City, NM 88062

[www.wnmu.edu](http://www.wnmu.edu)

**O:** (575) 538-6714

**M:** (575) 654-0258

**E:** [holguinj1@wnmu.edu](mailto:holguinj1@wnmu.edu)



**WESTERN**  
NEW MEXICO UNIVERSITY

# EXHIBIT 13

E: [holguinj1@wnmu.edu](mailto:holguinj1@wnmu.edu)



**WESTERN**  
NEW MEXICO UNIVERSITY

**From:** Joseph Holguin

**Sent:** Monday, December 5, 2022 10:45 AM

**To:** Joseph Shepard <[Joseph.Shepard@wnmu.edu](mailto:Joseph.Shepard@wnmu.edu)>

**Cc:** Kevin Matthes <[Kevin.Matthes@wnmu.edu](mailto:Kevin.Matthes@wnmu.edu)>; Kelley Riddle <[Kelley.Riddle@wnmu.edu](mailto:Kelley.Riddle@wnmu.edu)>

**Subject:** Project updates 12/5/22

Good morning,

Here is a high-level rundown of projects. I spoke with Mary Rae; she indicated you were off campus today. We are set up for a face-to-face meeting on Tuesday at 11:00 am.

I've outlined active, pending, and completed projects. We look forward to discussing these further.

Active projects:

- Vocational Center Master Plan
  - PO Issued 8/5/22
  - Meeting with James Ortiz- 9/28/22
  - Vo-Tech- meeting with Mayor and Rep Terazas 10/6/22
  - First workshop 9/8/22
  - Case study Ctech 10/20/22
  - Second workshop 11/7/22
  - Workshop with Cobre schools super 11/9/22
  - Workshop with Senator Hemphill 12/7/22
  - Master Plan completion 12/20/22
- 5 year Master Plan
  - First workshop 9/6/22
  - Second workshop
  - Space utilization kickoff 10/10/22
  - Space utilization link provided 12/1/22
  - Community open forum 12/6/22
  - Master plan completion 12/20/22
- Deming
  - Fall 2021 WNMU presented and approved HED/SBOF
  - Project came in over budget when Bradbury Stamm put the project out to bid.
  - Informed Dr. Shepard of our challenges January 2022
  - HED did not allow the the scope change, to cut out shell space
  - Direction from leadership, consolodate everything into one building and get maximum floorspace with the added 1.7m STB
  - Redesign approved February 2022
  - Early GMP established June 2022
  - Recertify project with HED and SBOF July 2022
  - Completed GMP Aug 2022
  - Delayed start time, due to long lead items so we would not encumber additional general conditions.
  - Break ground October 2022
  - GB ceremony 2022
  - Had an issue with a sinkhole- which delayed schedule 11 days. I feel we can make up that time later on in the project. GC's were not added.
  - P2 package, board approval in Jan/Feb

- Present to HED SBOF in March/April
  - Expected completion Nov 2023
- Softball
  - Started discussion in early 2022
  - PO cut to SSA 1/14/22
  - HED approved July 2022
  - Issued early work package Aug 2022
  - Custom dugouts and other end-user requirements added time to the project. The field will be playable and dugouts will be completed by the first game- per Scotts requirements. Pressbox, restrooms, and bleachers will be under construction through March 2023
- 502 ada ramp
  - Pricing from Rohan started in Late September 29<sup>th</sup>. \$112,208.73
  - Revised pricing 10/10/22. \$170,534.09
  - Revised pricing 10/17/22. \$197,273.08
  - Revised pricing 10/17/22 \$196,992.68
  - Completed drawings 11/21/22
  - Revised pricing 11/9/22. Add of change order for irrigation and added electrical scope. \$196,992.61 + \$109,357.69 + \$4567.62 (over 300K). Requested Rohan to a fresh set of takeoffs
  - Revised drawings 11/14/22
  - Revised pricing 11/17/22. \$4567.62 + \$179,765.49 + \$102,257.31. Communicaiton to Shepard but Rohan did not capture everything
  - Revised pricing 11/18/22
  - Final Drawings 11/21/22
  - Revised pricing 11/22/22
  - Revised pricing 11/22/22
  - Revised pricing 11/23/22
  - Revised pricing 11/29/22 totaling \$298,816.93. Leaves no room for changes. Again, requested rohan to a fresh set of takeoffs
  - Still awaiting proposal to come in the approved CES format, and I am not confident we are in a good place to move forward with the number of revised proposals.
- HF Commons
  - HED/SBOF approval July 2022
  - CMAR came in over budget. The project is underfunded.
  - Ongoing VE efforts through November.
    - Over budget by 2.3M on Aug 11<sup>th</sup>
    - Next major VE effort \$1.1m over budget Oct 27<sup>th</sup>.
    - Best and Final offer Nov 7<sup>th</sup>. \$1.1 over budget base bid. \$700k over budget just for walls.
  - Let SDV go and move to Bradbury Stamm.
- Metcalf statue
  - Discussion with Metcalf so SSA can assemble a Proposal
  - Site walk with Metcalf 9/7/22- kickoff
  - PO issued 9/22/22
  - Collaboration is ongoing through the current.
  - DD set of drawings 11/29/22
  - Critical path items which could delay completion:
    - Settling on a site grading plan
    - Refining site layout
    - Traffic control, median and curb layout
    - Available budget?
  - Anticipated completion so long and the above critical path items are addressed soon. End of January 2023

Projects needing funding source

- 502 Catering Kitchen

- Initial site visit 10/5/22 for SSA. They provided a proposal for the renovation 10/30/22
  - Initiated Hazardous Materials Study-3<sup>rd</sup> party. Completed by Keers 12/1/22
  - Waiting on funding source to proceed with design and renovation.
- Grahm Gym
  - State of NM funds the bond in July 2023
- Deming Remaining scope
  - BOR approval in Jan/Feb
  - Work on GMP and FFE package through February 2023
  - HED/SBOF approval March/April
  - Have PO's waiting until the GOB funds in July
- The climbing wall, will be moved up the priority list.

Completed projects within the past 2 years:

- Harlan Hall P3- covid delays but under budget
- 10<sup>th</sup> street- on budget
- Completed ECP master plan and SD drawings
- Create welding lab in Deming- electrical upgrade
- Regents demo
- SON raised sidewalk
- Greenhouse- under 300k
- 502 patio
  - 11 change orders
  - Under 300k
- Completed fountain
- Fountain patio, under 300k
- Power upgrade for concerts, under 300k
- Semi-ramp, under 300K
- Flagpole memorial, under 300k
- Completed CD's for fox renovation
- Pressbox study for fox field
- Top floor mecha renovation
- Install backup generator, under 300k
- Install fiber to presidents complex
- Stop-starts for alumni gardens
- Move ritch hall power underground
- Move jcb power underground
- Install solar panel in JCB parking lot.

## **Joseph Holguin**

Director of Capital Projects

### **Western New Mexico University**

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# EXHIBIT 14

## 502 ADA ramp

- Rohan got us a proposal 12/20/22; to pay for the drawings.
- We will get another contractor to bid the job asap

## 502 Catering House

- After some back and forth with Rohan, he provided a detailed proposal. We are going to move forward with purchasing the windows.
- A few weeks ago, I had Keers perform a Hazardous Material Study. We are in better shape than we thought; some countertops are hot, tiles, minimal lead paint, and some window caulking.
- We have a proposal for the design and engineering; awaiting direction to move forward

## Miscellaneous

- I started the discussion with Amy to get RFP's out for; GC's, Plumbers, Electricians, & Painters
  - These will go out in the first part of January and must be advertised for 10 days minimum.
- To keep you better informed, I have set up a biweekly meeting on Thursday mornings starting January 5<sup>th</sup>.

If you have any questions or need further clarification, please reach out.

Have a great holiday!

### Joseph Holguin

Director of Capital Projects

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---

**From:** Joseph Holguin

**Sent:** Friday, December 16, 2022 7:47 PM

**To:** Joseph Shepard <[Joseph.Shepard@wnmu.edu](mailto:Joseph.Shepard@wnmu.edu)>

**Cc:** Kevin Matthes <[Kevin.Matthes@wnmu.edu](mailto:Kevin.Matthes@wnmu.edu)>; Kelley Riddle <[Kelley.Riddle@wnmu.edu](mailto:Kelley.Riddle@wnmu.edu)>

**Subject:** RE: Project updates 12/5/22

Just a few project updates/notes from this week.

## Deming

We are making good progress; on track. Most of the steel is on site, and we begin footings next

week. All underground rough-ins are complete.

Regents to review and approve 2022 \$2M GOB first part of 2023. HED/SBOF to follow.

I've been working with Bradbury; to acquire pricing for the remaining scope. We are aiming to have this fall within our 2m allocation. Just a reminder, FFE is expected to come from this funding. I.T. is assembling a cost for the technology package.

I received the initial pricing for the furniture, roughly 170k. Nursing allocated 118k from their grant to assist with this expense. A big help and means more money for construction.

## Softball

Also making good progress, although we did experience some delays this week due to the weather. With that said, we may add time to GC without cost impact. As always, we will make up time if there is opportunity. We plan to bring water and sanitation to the site the week of Jan 2nd- before students arrive. This will cause a minor impact to utilities on that side of campus, I will coordinate with housing.

Parking lot CO will come in on 12/19/22.

Lighting CO is expected no later than 12/20/22.

## 5 year MP

SSA is making adjustments based on your direction during our open forum. We opened the website last week, and Mario is monitoring community input. A draft will be submitted next week, knowing that we will need to process community input; then a final discussion with you prior to publishing the completed document. This will be ready for you to take to the Regents.

## Vo-tech

Draft will be submitted next week. **By chance, have you heard about the alternate site from Freeport?** The utility aspect will follow when they provide that detail.

## Graham gym

I walked the building with SSA on 12/7/22; they are working with consultants to assemble a proposal. Per your direction, we will focus on; roof, parapet wall, electrical modernization, and HVAC. **Of the 2M GOB, how much do we want to allocate to this project?**

## 502 ada ramp

As mentioned earlier this week, Rohan's CES contract is restricted, and I've started discussions with

another contractor to price out the project. Due to the exorbitant costs, I was directed to reduce the scope to the sidewalk and retaining wall.

## HF Commons

I will coordinate with purchasing next week and request a contract update.

## Metcalf statue (see attached)

Direction was provided by Shepard and Metcalf on 12/7/22. Civil turned things around quickly, Dr. Shepard approved of the speed table (12-16-22) rock retaining wall, and pedestrian walkway.

## Chino paving (see attached)

Kevin wants to use 2018 GOB to pave the road between Chino and PE Complex. Zurn grates to allow stormwater to pass underneath.

## Chino landscaping (see attachment)

Landscape area on the south side of Martinez/NW side of Chino

Landscape area west of Chino; provide sleeves for irrigation and power.

Fence in the transformer west of Chino.

## OJS putting green (see attached)

Provide feedback on the attached jpg

Coordinate with Kent Batty

If you have any questions, please reach out.

### **Joseph Holguin**

Director of Capital Projects

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# EXHIBIT 15

**From:** [Joseph Holguin](#)  
**To:** [Joseph Shepard](#)  
**Cc:** [Kevin Matthes](#); [Kelley Riddle](#)  
**Subject:** RE: project updates for the week of 1/7/23  
**Date:** Saturday, January 7, 2023 11:56:13 AM  
**Attachments:** [image001.png](#)  
[502\\_patio\\_scope.jpg](#)  
[Metcalf\\_Phases\\_per\\_shepard.pdf](#)

---

Good morning,

Below are the project updates for December 26<sup>th</sup>, January 2<sup>nd</sup>, and our meeting on January 5<sup>th</sup>.

If you have any questions or need further clarification, please reach out.

## Carbon Neutral

- 1/5 meeting- Dr. Shepard was happy with SSA's proposal and would like to proceed if Kelley has funding.
- 1/6 meeting with Kelley. Wait to fund until after the legislative session; WNMU could receive money to align with our carbon-neutral strategies.

## Deming

- I went to Deming on 12/27 to check the project. Our first significant concrete pour was completed on 12/30
- Rebar for the spot footings and the remaining foundation was completed the week of 1/2. The second major pour was completed 1/6/23
- CMU walls will start 1/9/23 and continue through the first part of February.
- Tech and furniture meeting was held with Nursing on 1/4. A follow-up meeting is scheduled for 1/12
  - Kim will order 118k worth of furniture with their grant.
  - The remaining furniture will be purchased through the project.
- Ongoing; working with vendors and I.T. to compile an FFE package.
- Second-floor slab is slated to begin mid-February.
- We need to bring a commissioning agent on board unless Gerald is willing to let us proceed without one. Joe will contact Gerald and ask.
- This project is on track to finish in the first part of November.

## Softball

- Week of 12/26; the foundation for the restroom/pressbox was formed.
- January 2<sup>nd</sup> and 3<sup>rd</sup>- we were delayed due to snow
- Footers for the pressbox was poured on 1/4.
  - CMU walls and slab will begin 1/9. This structure will be erected within 3 weeks and finishes will follow.
- Bleachers are a long lead item, I've prompted the GC for delivery/installation date.
- Tri-west fencing was onsite; completing the windscreen on the chainlink fence.
  - Backstop netting was erected 1/6
- Sanitation tie-in was completed.
- Water line tie-in is outstanding. Additional coordination with the city is necessary.
- Curbing and crusher fines will provide a finished surface around the field. This scope will be completed before the first game.
- Lynco provided the field lighting proposal on 1/6, it came in at \$284,727.32 + tax, which is roughly 130k less than Carver electric. Both are good contractors and have served us well, but

lynco does a lot more field lighting and has better resources for this type of work. Lights are 8-12 weeks out.

- Kelley is getting me account numbers for the parking lot and field lights
- Within the next two weeks, we aim to acquire a Certificate of Occupancy for the field and adjacent areas.
- In the project's infancy, Scott indicated that he needed a playable field by the first game and an area for spectators. This expectation will be met, and we will deliver above and beyond where possible.

## Graham Gym

- 1/5/23 Dr. Shepard wants to move forward with A/E services and begin the renovation planning. 1.5m is acceptable for now, and we can allocate the entire 2m if necessary.
  - Joe will connect with Kelley to acquire an account number.
- Parapet and roof are priority items.
- Joe will contract the hazardous material survey to expedite the process

## Campus MP

- Finalized copy of the MP is contingent on Dr. Shepard's review.
- Joe will provide page numbers and areas of focus for Dr. Shepard to review.
- In reference to the arena- maintain seating for 3k people.

## Vo-Tech MP

- 1/5 meeting with Dr. Shepard; proceed with the utility study on the proposed section of land. An alternative site will be pursued at a later date.
- Finalized copy of the Vo-Tech MP is contingent on Dr. Shepard's review.
- Joe will provide page numbers and areas of focus for Dr. Shepard to review.
- Joe did voice concerns of budget challenges

## Metcalf sculpture project

- Michael emailed the civil engineer over Christmas break and wanted to recontour the curb and move the sculpture again.
- Per Dr. Shepard's direction, proceed with the site layout as outlined in 50% CDs.
- Traditional rock wall per Dr. Shepard; CIP wall with rock façade is not acceptable.
- Drawings are still on track for completion at the end of January.
- An approved segmenting map is attached.

## HF Commons

- SSA to provide Add Services proposal for additional work. All their time allocated for preconstruction was consumed dealing with the first contractor.
- Pricing from Bradbury to begin immediately
- Dr. Shepard identified the roadway improvements and retaining wall as priority items.

## OJS putting green

- Site layout from 12/16 was approved
- Joe to coordinate with Kent

## Chino Paving

- Kevin is working with Fermin and southwest concrete for pricing.

## 502 catering house

- Dr. Shepard asked us to get A/E pricing down before issuing a PO
- Joe has communicated with Sam and requested a revised proposal

## 502 patio/ADA ramp

- 1/5 meeting with Dr. Shepard
  - This project is a priority
  - No swale on the west side- see attached
  - The project must be completed no later than May 1<sup>st</sup>.
- Joe has sent the drawings out for pricing.

## Video boards

- Kevin indicated he is working on the video boards project

## EV charging stations

- Kevin is working on the charging stations. Lynco will be onsite the week of 1/9 to generate a SOW.

### Joseph Holguin

Director of Capital Projects

#### Western New Mexico University

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---

**From:** Joseph Holguin

**Sent:** Friday, December 23, 2022 10:33 AM

**To:** Joseph Shepard <Joseph.Shepard@wnmu.edu>

**Cc:** Kevin Matthes <Kevin.Matthes@wnmu.edu>; Kelley Riddle <Kelley.Riddle@wnmu.edu>

**Subject:** project updates for the week of 12/19/22

Good morning; just a few updates for the week of December 19<sup>th</sup>, 2022

Note: items in **red** need your direction/attention.

## Carbon neutral proposal

- After our dinner with Sam Sterling and the folks from SSR, they provided a proposal to perform a baseline analysis of our campus and develop a roadmap towards carbon neutrality which came back 35K less than expected.
- SSA's all-inclusive proposal is \$214,552.00. **Please let me know if funding is available and if you want us to move forward.**
- This is a preferred step to show our carbon-neutral efforts. If you decide to move forward with the project, I can see us dedicating an entire WNMU website to this study.
- Sam's quote is provided for reference.

# EXHIBIT 16

**From:** [Joseph Holguin](#)  
**To:** [Joseph Shepard](#)  
**Cc:** [Kevin Matthes](#); [Kelley Riddle](#)  
**Subject:** RE: project updates for the week of 1/7/23  
**Date:** Monday, January 16, 2023 8:30:18 PM  
**Attachments:** [image001.png](#)  
[20230112\\_172628284\\_iOS.jpg](#)  
[20230112\\_172428274\\_iOS.jpg](#)

---

Good evening, Dr. Shepard.

Projects are moving forward; last week was very productive.

## Carbon Neutral

- Carbon neutral study on hold- per last weeks direction.

## Deming

- Two site visits were made to monitor progress.
- CMU walls started on 1/9/23 and continue through the first part of February.
- Columns were poured on 1/12 (See attached photos)
- Nursing zoom call on 1/12
  - Nursing has enough funding to furnish the entire building with their grant.
  - The installation will get paid for through the project.
- Ongoing; working with vendors and I.T. to compile an FFE package.
- Second-floor slab to begin mid-February.
- This project is on track to finish in the first part of November.

## Softball

- Walls are going up!
- First-floor slab was poured
- Site work- in preparation for the parking lot is underway
- Wet utilities are underway
  - The sanitation pipe was set, and we are backfilling trenches
  - The Waterline is ran in preparation for the tie-in; scheduled for 1/17/23.
    - Coordination with the city was not required, we are looking to tie into WNMU's infrastructure.
- Electrical work is ongoing; we are preparing for PNM to bring power to the site. Primary conduits are being run.
  - PNM relocated a pole on 1/11/23 in preparation for this project.
- As mentioned previously, bleachers are a long lead item. We are looking at delivery in the first part of April. I am pressing to have this date moved up.
- An account for Musco lights was provided. Our office submitted the P.O.
- Curbing and crusher fines; ongoing work. This scope will be completed before the first game and is necessary to obtain a C.O.
- We planned to obtain a certificate of occupancy by 1/20. Unfortunately, this will be pushed back due to the inclement weather that settled in 1/15/23.
- This week we had multiple conversations with Daktronics, trying to get their efforts coordinated. Not having everyone under the G.C. creates unique challenges. We are making everything work and being flexible.
- In the project's infancy, Scott indicated that he needed a playable field by the first game and an area for spectators. This expectation will be met, and we will deliver above and beyond where possible.

## Graham Gym

- I received sams updated proposal, and I am working with Kelley to allocate an account number for this project.

## Campus MP

- Finalized copy of the M.P. is contingent on Dr. Shepard's review.

## Vo-Tech MP

- Finalized copy of the M.P. is contingent on Dr. Shepard's review.
- Utilities study is underway per your direction.

## Metcalf sculpture project

- Geotechnical drilling was performed 1/10/23
- Project is still on track to have drawings completed at the end of the month.

## H.F. Commons

- Sent the request to increase SSA's P.O. for Add Services
- Bradbury is performing their drawing reviews.
- Official kickoff meeting was performed on 1/13/23
- SSA is making adjustments to the drawings to reflect the direction provided on 1/5/23

## OJS putting green

- I still need to schedule a meeting with Kent. I will do this asap.

## Chino Paving

- Kevin is working with Fermin and southwest concrete for pricing.

## 502 catering house

- Sam got his proposal down to the 50k range. Awaiting an account number to issue the P.O. and proceed with the design.

## 502 patio/ADA ramp

- The project is being priced; Bradbury is performing takeoffs and working with subs to nail down a price

## Video boards

- Kevin is working on the video boards project. Details will be provided on 1/19

## EV charging stations

- Kevin walked potential locations with the vendor. We can provide further details in our face-to-face on 1/19/23

Please reach out if you have any questions.

**Joseph Holguin**

Director of Capital Projects

**Western New Mexico University**

**WESTERN NEW MEXICO UNIVERSITY****Purchasing Department**MAILING ADDRESS: PO BOX 680  
SILVER CITY, NEW MEXICO 88062

Voice: (575) 538-6553

Fax: (575) 538-6394

E-mail: [invoices@wnmu.edu](mailto:invoices@wnmu.edu)**PURCHASE ORDER****EXHIBIT****17**

Number:

**P0080745**

Purchase order expires on 06/30/2023

Please show this number on all packages and documents related to this order

Date: **03/02/23**Vendor: **COOEDU**  
Cooperative Educational Services  
PO Box 81045  
Albuquerque NM 87198Ship To: **Joseph Holguin**  
1000 W College Ave  
Old Student Mem  
Silver City NM 88061

Requisition #:

**INVOICES MUST BE ITEMIZED  
SHOWING QUANTITY, UNIT PRICE AND TOTAL.**  
Email Invoice: [invoice@wnmu.edu](mailto:invoice@wnmu.edu)Address all correspondence to the Purchasing Department  
**NM TAX EXEMPTION #01-508041-002****NO C.O.D ORDERS OR FREIGHT COLLECT ORDERS WILL BE ACCEPTED.  
ONLY SHIP QUANTITIES LISTED UNLESS APPROVED BY PURCHASING DEPARTMENT.**

| Item | Item Description                                                                                                                                                                                                                                             | Units   | Unit Price | Extended Price |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|------------|----------------|
| 1    | Bradbury Stamm Construction<br>2021-10-R2141-ALL<br>502 Patio Walkway Construction<br>General Conditions<br>Field work<br>Field labor<br>Permits and Fees<br>Brick Paver<br>Precast Cap<br>Structural Steel<br>Erection/Installation<br>Stucco<br>Electrical | 1.00 EA | 164,010.00 | 164,010.00     |
|      |                                                                                                                                                                                                                                                              |         |            | CONTINUED      |

FOB: FOB Destination

TERMS: Net 30 Days

DISCOUNT:

GOVERNING LAW: State of New Mexico

ADDL. CHARGES:

BUYER: Amy Baca

TOTAL TAXES:

Director of Materials and Resource Management: *Amy Baca*

TOTAL:

93013-4006-77210-930 \$164,010.00  
Plant  
93013-4006-77210-930 \$13,394.83  
Plant**WESTERN**  
NEW MEXICO UNIVERSITY

ACCT DATA

ACCT DATA

VENDOR COPY

**WESTERN NEW MEXICO UNIVERSITY****Purchasing Department**MAILING ADDRESS: PO BOX 680  
SILVER CITY, NEW MEXICO 88062

Voice: (575) 538-6553

Fax: (575) 538-6394

E-mail: [invoices@wnmu.edu](mailto:invoices@wnmu.edu)**PURCHASE ORDER**

Number:

**P0080745**

Purchase order expires on 06/30/2023

Please show this number on all packages and documents related to this order

Date: **03/02/23**Vendor: COOEDU  
Cooperative Educational Services  
PO Box 81045  
Albuquerque NM 87198Ship To: Joseph Holguin  
1000 W College Ave  
Old Student Mem  
Silver City NM 88061

Requisition #:

**INVOICES MUST BE ITEMIZED  
SHOWING QUANTITY, UNIT PRICE AND TOTAL.**  
Email Invoice: [invoice@wnmu.edu](mailto:invoice@wnmu.edu)Address all correspondence to the Purchasing Department  
**NM TAX EXEMPTION #01-508041-002****NO C.O.D ORDERS OR FREIGHT COLLECT ORDERS WILL BE ACCEPTED.  
ONLY SHIP QUANTITIES LISTED UNLESS APPROVED BY PURCHASING DEPARTMENT.**

| Item | Item Description                                                                                                           | Units   | Unit Price | Extended Price |
|------|----------------------------------------------------------------------------------------------------------------------------|---------|------------|----------------|
| 2    | Earthwork<br>Landscaping<br>Site Concrete<br>Contingency 7.50%<br>OH&P 20%<br>Bonds/Wage Rates Apply<br><br>NM GRT 8.2375% | 1.00 EA | 13,394.83  | 13,394.83      |

|                                                                |                    |                    |
|----------------------------------------------------------------|--------------------|--------------------|
| FOB: FOB Destination                                           | TERMS: Net 30 Days | DISCOUNT: .00      |
| GOVERNING LAW: State of New Mexico                             |                    | ADDL. CHARGES: .00 |
| BUYER: Amy Baca                                                |                    | TOTAL TAXES: .00   |
| Director of Materials and Resource Management: <i>Amy Baca</i> |                    | TOTAL: 177,404.83  |

93013-4006-77210-930 \$164,010.00  
Plant  
93013-4006-77210-930 \$13,394.83  
Plant**WESTERN**  
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ACCT DATA

ACCT DATA

VENDOR COPY

Set a calendar reminder for Mar 15 to RSVP!

EXHIBIT  
18



# SCHEDULE



FRIDAY, MAY 12, 2023

## Welcome Event

6:00 pm - 11:00 pm

502 Patio

500 West College Avenue, Silver City, NM 88061

([https://www.google.com/maps/search/?](https://www.google.com/maps/search/?api=1&query=32.77537880,-108.28133520&query_place_id=ChIJpzfk75zH2IYR7DuOhrVQuY4)  
[api=1&query=32.77537880,-108.28133520&query\\_place\\_id=ChIJpzfk75zH2IYR7](https://www.google.com/maps/search/?api=1&query=32.77537880,-108.28133520&query_place_id=ChIJpzfk75zH2IYR7DuOhrVQuY4)  
[DuOhrVQuY4](https://www.google.com/maps/search/?api=1&query=32.77537880,-108.28133520&query_place_id=ChIJpzfk75zH2IYR7DuOhrVQuY4))

Southwestern/Mexican optional! Aka floral print, ruffles, skirts/sundresses, bright colors, cowboy boots/sandals/wedges/sneakers, jeans and button down, slacks with polo. Nice but comfy.

This event will be outdoors so bring layers if it gets chilly! We're planning for a food truck dinner, fire pit and dancing/casual hanging out. If you own cowboy boots, this maaaaay be a fantastic time to plan an outfit around them...

Park on the 10th St back side of the house where you'll see a long driveway. (Yes, it does show as "President's Residence" on Google Maps haha.)

**Map**

**Add to calendar**

S A T U R D A Y ,   M A Y   1 3 ,   2 0 2 3

## **Ceremony**

4:00 pm - 4:30 pm

The Gardens at WNMU

**1000 W College Ave, Silver City, NM 88061**

**([https://www.google.com/maps/search/?api=1&query=32.77537800,-108.28233160&query\\_place\\_id=ChIJ\\_2a8HZ3H2IYRnsSxg\\_jeY\\_M](https://www.google.com/maps/search/?api=1&query=32.77537800,-108.28233160&query_place_id=ChIJ_2a8HZ3H2IYRnsSxg_jeY_M))**

Semi-formal/formal (tie/jacket, heels+dancing shoes)

### **CHANGE OF CEREMONY LOCATION:**

Ceremony will be at The Gardens at WNMU (grassy area next to Light Hall Theatre on Google Maps, or across the street from WNMU BSU/Christian Challenge).

0.7mi from Murray Hotel, 3 min drive, 14 min walk.

15 min drive from Bear Mountain Lodge

Plenty of parking in the northeast lot off N Louisiana St or in the west lot off College Ave. Car can be left there overnight if needed.

**Map**

**Add to calendar**

## **Dinner**

5:30 pm

Western New Mexico University Museum

**1000 West College Avenue, Silver City, NM 88061**

**(<https://maps.google.com/?cid=3278065890084517613>)**

0.1 due north of Light Hall Theatre/Gardens where the ceremony was, you'll find the museum, which is where dinner will take place. There will be signage guiding you there.

**Map**

**Add to calendar**

## **Dancing/Cake!**

8:30 pm

502 Patio (Welcome Event venue)

**500 West College Avenue, Silver City, NM 88061**

**([https://www.google.com/maps/search/?api=1&query=32.77537880,-108.28133520&query\\_place\\_id=ChIJpzfk75zH2lYR7DuOhrVQuY4](https://www.google.com/maps/search/?api=1&query=32.77537880,-108.28133520&query_place_id=ChIJpzfk75zH2lYR7DuOhrVQuY4))**

0.1mi east and we'll land back at the 502 patio (where the Welcome Event was the night before) for dances, cake and celebration!

Corre Caminos is an on demand bus service that operates til 11 (last call at 10:30pm), but we can help arrange DDs for those who need it beyond that. 575-

388-3180

<https://correcaminosnm.com/programs/>

**Map**

**Add to calendar**

SUNDAY, MAY 14, 2023

**(Not formal event) Brunch provided for Bear Mountain Lodge guests only but feel free to stop by**

8:30 am - 10:00 am

Bear Mountain Lodge

**60 Bear Mountain Ranch Road, Silver City, NM 88061**

**([https://www.google.com/maps/search/?api=1&query=32.81564170,-108.30954440&query\\_place\\_id=ChIJB8g3o8K42IYRt8VYoWTlwOE](https://www.google.com/maps/search/?api=1&query=32.81564170,-108.30954440&query_place_id=ChIJB8g3o8K42IYRt8VYoWTlwOE))**

Casual

We understand a lot of guests may need to get on with their travel. We've decided to have breakfast with our moms at Bear Mountain Lodge for Mother's Day in lieu of a formal breakfast. The site won't let me cancel this event so ;) that's where we'll be if you want to stop by and say goodbye on your way out of town!

We'll be back "in town" after breakfast.

**Map**

**Add to calendar**



For all the days along the way

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# EXHIBIT 19

**From:** [Joseph Holguin](#)  
**To:** [Kelley Riddle](#); [Kevin Matthes](#)  
**Subject:** RE: 502 items  
**Date:** Tuesday, April 25, 2023 3:33:42 PM  
**Attachments:** [image001.png](#)

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Here are some 502 updates.

- Last Friday the wall was poured; we met the critical milestone!
- Sunday- forms were stripped off the wall.
- Monday- our contractor started putting down pavers and backfilling. This scope will continue through Wednesday.
- Stucco brown coat was applied this afternoon. Color will get applied on Thursday.
- Existing trees were removed- per dr. shepards direction
  - Two oaks we have on-hand will be planted in their place
  - 4 crab apple trees will be planted, next to the retaining wall
- Our crew is starting irrigation this afternoon and should be finished by Wednesday by E.O.B.
- Sod is being delivered Wednesday and our crew will put it down Thursday
- Thursday, our GC will try to obtain the C.O. from the building inspector.
- So long as the CO is obtained Thursday afternoon, electrical work will start on Friday.
- Dr. Shepard added brickwork to the front of his house- near the fountain. Change order coming
- Dr. Shepard requested new gravel for the 502 driveway- change order is coming.

## Joseph Holguin

Director of Capital Projects

### Western New Mexico University

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**M:** (575) 654-0258

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**WESTERN**  
NEW MEXICO UNIVERSITY

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**From:** Joseph Holguin  
**Sent:** Thursday, April 20, 2023 3:20 PM  
**To:** Kelley Riddle <[Kelley.Riddle@wnmu.edu](mailto:Kelley.Riddle@wnmu.edu)>; Kevin Matthes <[Kevin.Matthes@wnmu.edu](mailto:Kevin.Matthes@wnmu.edu)>  
**Subject:** RE: 502 items

Good afternoon,

- We added more brickwork in the past 24 hours, likely consuming the extra I ordered.
  - Bradbury is working on the change order.

- A planter was integrated into the new flatwork, which needs irrigation and additional forming.
  - Our group is running the water line.
- Dr Shepard directed our tradespeople (yesterday morning) to drop the utilities further below grade than initially agreed upon Tuesday afternoon, putting our people in the way of contractors today.
- There is still a chance we can set concrete tomorrow morning and button things up the week of May 1<sup>st</sup>.

**Joseph Holguin**

Director of Capital Projects

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**WESTERN**  
NEW MEXICO UNIVERSITY

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**From:** Kelley Riddle <[Kelley.Riddle@wnmu.edu](mailto:Kelley.Riddle@wnmu.edu)>

**Sent:** Wednesday, April 19, 2023 10:33 AM

**To:** Joseph Holguin <[holguinj1@wnmu.edu](mailto:holguinj1@wnmu.edu)>; Kevin Matthes <[Kevin.Matthes@wnmu.edu](mailto:Kevin.Matthes@wnmu.edu)>

**Subject:** Re: 502 items

Thanks for the update!

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**From:** Joseph Holguin <[holguinj1@wnmu.edu](mailto:holguinj1@wnmu.edu)>

**Sent:** Wednesday, April 19, 2023 9:50 AM

**To:** Kelley Riddle <[Kelley.Riddle@wnmu.edu](mailto:Kelley.Riddle@wnmu.edu)>; Kevin Matthes <[Kevin.Matthes@wnmu.edu](mailto:Kevin.Matthes@wnmu.edu)>

**Subject:** RE: 502 items

Yesterday afternoon, during the campus walk-through, dr Shepard requested additional changes at the 502 patio. The extra retaining wall and stairs have a high likely hood of negatively impacting progress. The site grading changes he made earlier in the day resulted in numerous sewer breaks; this morning, our team is onsite making repairs and lowering the gas line. Additionally, I am concerned that we cannot get the additional concrete. Other jobs are pulling trucks from deming and las cruces.

The next few days will be telling; there is the possibility we may not have this work done by graduation. However, I am confident everything will be completed for the wedding reception.

**Joseph Holguin**

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**WESTERN**  
NEW MEXICO UNIVERSITY

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**From:** Joseph Holguin

**Sent:** Tuesday, April 18, 2023 12:55 PM

**To:** Kelley Riddle <[Kelley.Riddle@wnmu.edu](mailto:Kelley.Riddle@wnmu.edu)>; Kevin Matthes <[Kevin.Matthes@wnmu.edu](mailto:Kevin.Matthes@wnmu.edu)>

**Subject:** RE: 502 items

Updates from the past two days.

- Dr. Shepard went directly to the GC and added two power pedestals; Kevin had Tom order them yesterday afternoon. WNMU will need to trench for the power, the sub will install conduit and pull wire.
- At 4:45 pm yesterday dr Shepard asked me to order an additional pedestal to add power. I asked Tom Lemme to order two more; these fixtures are approximately \$700.00 ea.
- Formwork for the retaining wall was completed last night. We are ready for concrete.
- Today Bradbury was given direction to change the site grading; this was outside of the original scope and conflicted with our direction when all parties were onsite March 24<sup>th</sup>. We should have time to complete the task, but this delays irrigation installation.
- Chala found grass out of Arizona, it will be delivered at the end of next week.
- Dr. Shepard counted the brick we received and is allowing Chala to use some of the inventory. I did order an extra pallet, we should have enough material.

**Joseph Holguin**

Director of Capital Projects

**Western New Mexico University**

|                             |
|-----------------------------|
| <b>EXHIBIT</b><br><b>20</b> |
|-----------------------------|

**DECLARATION OF JAMES HEMPHILL**

STATE OF NEW MEXICO                    )

COUNTY OF GRANT                        )

I, James Hemphill, state and declare as follows:

1.       I have personal knowledge of the matters set forth below, am over the age of eighteen and am otherwise competent to make this affidavit.
2.       I am a resident of the State of New Mexico.
3.       I was hired by Dr. Joseph Shepard, then-President of Western New Mexico University, in or about 2012 to be the campus photographer for the university.
4.       I am not currently employed at the university. I resigned from my university position on October 15, 2024.
5.       On multiple occasions while employed at the university, President Shepard asked me to take pictures of events unrelated to university activities.
6.       On or about July 3, 2016, Dr. Shepard asked me to take pictures of Robert Michaels, a performance artist and, upon information and belief, a friend of Dr. Shepard.
7.       This shoot occurred over the weekend. I did not receive compensation for my work.
8.       On or about 2019, Dr. Shepard asked me to take pictures for the congressional campaign of his wife, Valarie Plame.
9.       This shoot took place in the evening after work hours. I did not receive compensation for my work.
10.      In October 2020 Shepard asked me to take pictures of his wedding to Valarie Plame.

11. The wedding occurred on a weekend in Arizona. Dr Shepard told me he could pay me, but I did it for no compensation. Dr. Shepard did, however, pay for my lodging while in Arizona for the wedding.

12. For each of these instances, Dr. Shepard offered to pay me out of his own pocket. However, I felt pressured not to accept payment. Dr. Shepard sets the budget for my department and I was extremely hesitant to do anything that may upset him. I worried that if I accepted payment that he would retaliate against me in some way.

13. Dr. Shepard has taken retaliatory action against individuals who have upset him in the past. For example, Dr. Shepard holds two campus convocations a year to welcome people back to campus and speak to the community. Three or four years ago during one of these convocations, a newly hired recruiter publicly questioned Dr. Shepard about the funding priorities of the university. When leaving the convocation, I witnessed campus police escorting the recruiter off campus. I later heard Dr. Shepard say that she was not the type of person the university needed because she had been critical of its priorities.

14. Unrelated to working without compensation, in 2023, several employees had dinner with Dr. Shapard in Santa Fe during the legislative session. During this dinner I sat next to Dr. Shepard.

15. I overheard a university employee tell Dr. Shepard that she had or was going to submit a purchase order for flowers for the wedding of Dr. Shepard's daughter, Sofia Shepard.

16. In response, I heard President Shepard say something to the effect of, "Make sure to say those flowers are for graduation, not her [Sofia Shepard's] wedding. The wedding is a week later. No one will know the difference."

17. The graduation ceremony occurred on May 5, 2023. Sofia Shepard's wedding occurred the weekend of May 12, 2023.

18. I have obtained WNMU Foundation ledgers dating back to 2015. Since 2020, the Foundation spent tens of thousands of dollars on flowers. I photographed nearly every event that occurred on campus for more than a decade. I do not remember seeing the volume of flowers at these events that would make sense based on how much was spent.

19. I, James Hemphill, affirm, under penalty of perjury under the laws of the State of New Mexico, that the above statement is true and correct.

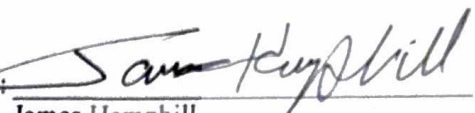
20. Further, declarant sayeth not.

Date:

~~02-11-25~~

02-11-25

Signed:

  
James Hemphill