

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT COURT

No. D-202-PB-2011-00653
The Honorable Joshua A. Allison
District Court Judge

In the Matter of the Estate of
ELIZABETH WILLIAMS NAYLOR, Deceased.

**EXPEDITED UNOPPOSED MOTION TO VACATE AND RESET
HEARING SET FOR NOVEMBER 18, 2025**

Respondents Guy Markley Naylor and Dale W. Gunn, M.D., by and through their counsel, Sommer Udall Law Firm, P.A., (Kurt A. Sommer and Theo Aufrichtig), move this Court to vacate the Hearing scheduled for November 18, 2025 at 11:00 a.m., and states the grounds and reasons as follows:

1. On September 15, 2025, this Court entered its Order Granting Elizabeth Ann Naylor Owens' Second Motion to Continue Hearing and ordered that hearing on Respondents' Petition for Court Approval of Withdrawal of Counsel and Substitution of Counsel be vacated and reset for November 18, 2025 at 11:00 a.m.

2. On September 15, 2025, Respondents moved this Court to dismiss this probate matter.

3. On September 16, 2025, Respondents filed their notice of Non-Availability of Respondents Counsel and Request to Vacate and Reschedule Hearing, wherein they notified this Court of counsels' unavailability due to scheduling conflicts on the following date and time: November 18, 2025 at 11:00 a.m.

4. On October 2, 2025, Respondents notified this Court of the completion of briefings for their request for dismissal and requested a hearing on the matter.

5. On October 6, 2025, this Court set the Respondents' request for dismissal for hearing on November 18, 2025 at 11:00 a.m.

6. Respondents' counsels, chiefly Kurt Sommer and Theo Aufrichtig, are both unable to attend the hearing on November 18, 2025 at 11:00 a.m. due to scheduling conflicts.

7. Respondents respectfully request this Court to vacate and reset the hearings set for their request for dismissal and Petition for Court Approval of Withdrawal of Counsel and Substitution of Counsel to another date and time due to their counsels' continuing scheduling conflicts.

8. This motion is unopposed by Elizabeth Ann Naylor Owens.

WHEREFORE, Respondents respectfully request that this Court vacate the hearing scheduled for November 18, 2025 at 11:00 a.m. and reset the hearing for a date and time after November 18, 2025, and for such other relief as this Court deems just and proper.

Respectfully submitted,

SOMMER UDALL LAW FIRM, PA.

By: /s/ Theo Aufrichtig

Kurt A. Sommer

Theo Aufrichtig



CERTIFICATE OF SERVICE

I certify that a true and complete copy of this Motion to Vacate and Reset Hearing Set for November 18, 2025 was served on Elizabeth Ann Naylor Owens (aka Jan Black Owens) this 21 day of October, 2025, by delivering a copy through electronic transmission at the following last known addresses:



/s/ Theo Aufrichtig

Theo Aufrichtig