

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
SECOND JUDICIAL DISTRICT COURT

HAILEY ATYANI, NICOLE CDE BACA,  
BIANCA GARCIA, HANNAH JIRON,  
CESELIA MERRYMAN, ANDREA  
VARELA, WHITNEY WHITSON,  
JAEDA CHAVEZ, JENNA ESPINOZA,  
SAMANTHA HAWLEY, KRISTEN  
HERRERA, EMILEE JEPHSON,  
GENEVIEVE REILLY, SARA  
SCANNAPIECO, and KELSI SHARP,  
on behalf of themselves and all others  
similarly situated,

**Plaintiffs,**

v.

**Case No. D-202-CV-2016-02775**

DENNIS BONFANTINE, JANICE  
BONFANTINE, D.B. KELLY, INC.,  
d/b/a KELLY'S BREW PUB AND  
RESTAURANT, and DB BREWERY LLC,

**Defendants.**

**FINAL ORDER REGARDING PLAINTIFFS' AND DEFENDANTS'**  
**MOTIONS FOR SUMMARY JUDGMENT**


**THIS MATTER** came before the Court for hearing on May 29, 2019, on the following

Motions for Summary Judgment:

- Plaintiffs' Motion for Summary Judgment on Liability and Memorandum in Support, filed 10/31/18;
- Defendants Dennis and Janice Bonfantine's Motion for Summary Judgment on Liability, filed 12/3/18;
- Defendants' Motion for Summary Judgment on Liability, filed 12/3/18,

The parties having appeared through their respective counsel of record, the Court having reviewed the briefs, having heard the argument of the parties and being otherwise fully apprised, the Court **FINDS** and **CONCLUDES**, as described in its ruling from the bench on May 29, 2019, as follows:

1. Defendant Kelly's Motion for Summary Judgment on Liability is DENIED;
2. Plaintiffs' Motion for Summary Judgment on Liability is GRANTED as to violations of the Albuquerque Minimum Wage Ordinance.
3. Defendant Dennis Bonfantine's Motion for Summary Judgment is DENIED.
4. Defendant Janice Bonfantine's Motion for Summary Judgment is GRANTED.



---

JUDGE BENJAMIN CHAVEZ  
DIVISION XIX

---