

STATE OF NEW MEXICO
SAN JUAN COUNTY
ELEVENTH JUDICIAL DISTRICT

MARLYN WILLIE,
on his own behalf and
on behalf of all others similarly situated

Plaintiff,

v.

No. D-1116-CV-2023-00168

KOKOPELLI PAWN AND GUN, LLC

Defendant.

SECOND AMENDED ORDER GRANTING MOTION TO APPROVE NOTICE OF CERTIFICATION

This matter came before the Court on Plaintiff's Opposed Motion to Approve Notice of Certification. Defendant later filed a Response stating that it no longer opposed Plaintiff's motion.


After the hearing, Plaintiff made some minor formatting edits to the proposed Notice and edited to include information about how class members can contact the class administrator, American Legal Claims. Defendant did not oppose these edits, and the Court entered its Order approving the notice of certification on May 12, 2026.

After the Court entered the Amended Order approving the notice to the class, the Parties agreed that the class definition needed an ending date added to the notice, so Plaintiff requested to amend the notice to add an end date to the class definition, of October 22, 2025, the date of the class certification. Defendant does not oppose this amendment. The new notice is attached hereto as Exhibit A.

The Court, after considering the briefing and argument at hearing, the proposed Notice with the above-described edits, and being otherwise fully apprised of the premises, hereby FINDS:

1. The Notice Of Class Certification, attached to this Order as Exhibit 1, meets the requirements of Rule 1-023(C) (2) NMRA.

The Court amends its May 12, 2026 Order, and ORDERS that the attached Notice of Class Certification is hereby APPROVED. As set forth in the Court's 10/22/2025 Order Certifying the Class, Plaintiff shall proceed with providing this Notice by First Class Mail within 60 days to the class members whose names and contact information Plaintiff has obtained from the San Juan County Sheriff.



HONORABLE BRADLEY L. KEELER
DISTRICT COURT JUDGE

Submitted:

/s/Susan Warren
Susan Warren
Feferman, Warren & Mattison, Attorneys for Plaintiff
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Approved as to form only:

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STATE OF NEW MEXICO
SAN JUAN COUNTY ELEVENTH JUDICIAL DISTRICT

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| MARLYN WILLIE, on his own behalf and on behalf of all others similarly situated Plaintiff, v. KOKOPELLI PAWN AND GUN, LLC Defendant. | No. D-1116-CV-2023-00168 |
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NOTICE OF CLASS ACTION CERTIFICATION

This Notice may affect your legal rights.

Please read it carefully. You have not been sued.

You have been identified as a Class Member in a lawsuit that was filed by Marlyn Willie (“Willie”) against Kokopelli Pawn and Gun, LLC (“Kokopelli”). In the lawsuit, Willie alleged that Kokopelli’s standard form pawn ticket violates the New Mexico Unfair Practices Act (“UPA”) by misrepresenting that if a consumer does not redeem his pledged property within 90 days of the due date, he forfeits his rights to the property and it becomes the property of Kokopelli. Willie also alleged that Kokopelli fails to disclose the Annual Percentage Rate charged on pawn loans and Kokopelli fails to sign the pawn ticket, in violation of the New Mexico Pawnbrokers Act. Willie further alleged that some class members who defaulted on their pawn loans, received an illegal notice of intent to sell the pawned property from Kokopelli, in violation of the Uniform Commercial Code (“UCC”). Finally, Willie alleged that Kokopelli sold some Class members’ defaulted property for more than was owed on the pawn loan and illegally kept the proceeds without notifying the consumer of the surplus, in violation of the UPA and the UCC, thus converting the consumers’ money. Kokopelli did not file a response to the lawsuit, and the Court entered default. This means that Kokopelli has admitted Willie’s allegations. The Court must now determine damages due to Willie and each Class member.

Willie and the Class (defined below) are represented by attorney Susan Warren, 300 Central Ave. SW, Ste. 2000W, Albuquerque, NM, 87102. Attorney Warren’s phone number is (505) 243-7773, and her e-mail address is consumer@nmconsumerwarriors.com.

Why did you receive this? Willie brought this action on behalf of a Class, defined as follows:

All persons who entered into a pawn transaction with Kokopelli beginning February 9, 2021 through October 22, 2025.

The Eleventh Judicial District Court “certified” this case as a class action. You have been identified as a member of the class. This letter advises you about the nature of the case and your rights as a class member.

What happens next? Next, the Court will decide the amount of damages that each Class member is entitled to receive.

If you DO want to be part of this class action lawsuit, YOU DO NOT HAVE TO DO ANYTHING except update your address if you have moved. If you stay in the Class, you will be bound by any judgment for damages, no matter how much the Court awards. You will also be bound by any settlement between Willie and Kokopelli that sets the amount of the damages. This means you will give up your right to pursue these claims against Kokopelli in a separate lawsuit. Willie is trying to recover money for you, and other relief. Kokopelli denies the amount of damages that Willie and the Class are entitled to. Willie’s attorneys will represent you, but you will NOT need to pay them any money out of your pocket. These attorneys are paid only if they obtain money from Kokopelli at the conclusion of this lawsuit or by a settlement agreement between the parties. If this notice was forwarded by the Postal Service, or if it was sent to an old address, or if you move in the future, you should immediately update your address by going to the case website: www.willieclassaction.com. If you move from this address, you should update your address again. If the person to whom this letter was sent has died, please contact the class administrator, explaining who is entitled to the payment, and include any supporting documentation. Contact information for class administrator, to contact regarding change of address or deceased class member: Willie v Kokopelli, PO Box 23678, Jacksonville, FL 32241. Email: info@willieclassaction.com. If you want to be a member of the Class but want to hire your own attorney, you may hire your own attorney at your own expense to enter an appearance in the case for you.

If you DO NOT want to be part of this class action, YOU MUST SEND WRITTEN NOTICE to the settlement administrator: Willie v Kokopelli, PO Box 23678, Jacksonville, FL, 32241, no later than 60 days after the mailing of this Notice. Your notice to exclude yourself should include the case name and number. If you exclude yourself, you will not be bound by the Judge’s decisions, and you will keep your right to sue Kokopelli yourself. You will not receive any money or any other relief, if any, that is awarded in this case.

This description of the case is general and does not cover all of the issues and proceedings so far. In order to see the complete file, you should contact the office of the Clerk of Court, who will provide a copy at your own expense. **Contact Class attorney Susan Warren with any questions. Please do NOT contact the Court with questions.**

Notice date: [insert mail date]