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October 5, 2006

By Electronic and First-Class Mail

Ralph I. Lancaster, Jr.  
Pierce Atwood  
One Monument Square  
Portland, Maine 04101

Re: State of New Jersey v. State of Delaware  
No. 134, Original  
Proposed revisions to schedule

Dear Mr. Lancaster:

As you instructed, New Jersey and Delaware have conferred on revisions to the case management plan and on deposition dates for fact witnesses. The parties have agreed on new deposition dates for fact witnesses, but have not been able to agree on other scheduling changes. Accordingly, New Jersey hereby proposes the schedule set forth below.

The proposed schedule is necessary to afford New Jersey a reasonable and fair opportunity to assess the voluminous materials submitted; take and defend depositions of fact witnesses; prepare and analyze expert reports, taking into account the voluminous materials submitted and deposition testimony of fact witnesses; prepare for and take depositions of experts; and to thereafter prepare a dispositive motion. This schedule will allow this case to continue to proceed efficiently, while at the same time allowing counsel to honor other existing commitments in numerous other ongoing matters. In light of the significant matters at issue in this case, a shorter schedule would not afford a sufficient, fair opportunity for New Jersey to assert its rights under its 1905 Compact with Delaware.



Proposed New Schedule

	Existing Date	Proposed Date
Fact depositions	Oct. 20	Nov. 3
Expert reports	Oct. 13	Nov. 8
Expert depositions	Nov. 3	Dec. 8
Dispositive Motions	Nov. 30	Jan. 22

We are available to discuss this matter and to provide additional explanation of the proposed schedule, at your convenience. We appreciate your attention to and consideration of this request.

Respectfully,

STUART RABNER  
ATTORNEY GENERAL OF NEW JERSEY

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