

No. 142, Original

**In the
SUPREME COURT OF THE UNITED STATES**

STATE OF FLORIDA,

Plaintiff

v.

STATE OF GEORGIA,

Defendant

OFFICE OF THE SPECIAL MASTER

CASE MANAGEMENT ORDER NO. 8

April 13, 2015

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Pursuant to their Joint Motion for Confidentiality and Inadmissibility of Settlement Negotiations dated April 2, 2015 (hereafter, the “Joint Motion”), the State of Florida and the State of Georgia request that the Special Master enter a confidentiality order precluding disclosure of the settlement negotiations in *Florida v. Georgia*, No. 142 Original. The Joint Motion is GRANTED.

This proceeding presents the need for a private forum in which the parties may explore settlement given the magnitude of the interests at stake and the difficulty likely to be faced by the parties in conducting settlement negotiations while having to defend their negotiating positions and concessions in the court of public opinion. While settlement negotiations in this case would likely be ineffective if published, a confidentiality order would facilitate an open exchange of information between the parties and would thereby promote the public interest in reaching a negotiated settlement of this complex and expensive proceeding. This benefit outweighs any presumption of access to settlement negotiations that may exist. A confidentiality order is therefore necessary and appropriate. Accordingly, IT IS HEREBY ORDERED THAT:

1. All written and oral communications (before or after the date of this Order) made during settlement negotiations in *Florida v. Georgia*, No. 142 Orig., including those by and between the parties or any other individual or entity and including any and all documents, data or other materials prepared in anticipation of or exchanged during such negotiations, are inadmissible and shall be kept confidential and not disclosed unless otherwise ordered by the Special Master or the Supreme Court of the United States.

2. The Parties shall furnish a copy of this Order to any non-party individuals or entities participating in the settlement negotiations and shall ensure that such individuals or entities agree in writing to be bound by the terms of this Order.

3. This Order shall continue in effect unless and until modified by a subsequent Order of the Special Master or the Supreme Court of the United States.

Dated: April 13, 2015



Ralph I. Lancaster
Special Master

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