



**U.S. Department of Justice**

Environment and Natural Resources Division

MTG  
90-1-2-14114

*Appellate Section  
701 San Marco Blvd.  
Jacksonville, FL 32207*

*Telephone (202) 352-3147  
Facsimile (202) 514-0557*

April 22, 2015

**BY EMAIL AND U.S. MAIL**

Ralph I. Lancaster, Jr.  
Pierce Atwood  
Merrill's Wharf  
254 Commercial Street  
Portland, ME 04101

Re: June 2, 2015, Hearing on Motion to Dismiss

Dear Special Master Lancaster:

The United States has received notice that a hearing on the State of Georgia's motion to dismiss for failure to join the United States as a party has been set for June 2, 2015, in Washington, D.C., with each party provided one hour to present argument. As you are aware, the United States filed a brief as amicus curiae in opposition to that motion. The United States respectfully requests that it be permitted to appear and present argument as amicus curiae at the hearing on Georgia's motion to dismiss. We have conferred with the State of Florida, and it has agreed that the United States may use 20 minutes of Florida's allocated time to present argument as amicus curiae. We have also conferred with the State of Georgia, and Georgia does not oppose this request.

We also reviewed the transcript of the last status conference, and note that at the beginning of conference you asked whether a representative for the United States was present. As you are aware, we have asked in our Statement of Participation to be allowed to attend status conferences, but that request remains pending, and the Case Management Plan provides that "[o]nly parties may participate in status conferences and other case proceedings." We apologize for any misunderstanding about our attendance at that conference, and reiterate our request that the Case Management Plan be amended to allow the United States to attend status conferences.

Very truly yours,

s/Michael T. Gray

In The  
Supreme Court of the United States

---

STATE OF FLORIDA,  
*Plaintiff*

v.

STATE OF GEORGIA  
*Defendant*

---

Before the Special Master

Hon. Ralph I. Lancaster

---

**CERTIFICATE OF SERVICE**

This is to certify that the foregoing letter from Michael T. Gray on behalf of the United States to Special Master Lancaster has been served this 22d day of April, 2015, in the manner specified below:

<b>For State of Florida</b>	<b>For State of Georgia</b>
<p><u>By U.S. Mail and Email:</u> Allen Winsor Solicitor General <i>Counsel of Record</i> Office of Florida Attorney General The Capital, PL-01 Tallahassee, FL 32399 T: 850-414-3300 allen.winsor@myfloridalegal.com</p> <p>By Email Only: Donald G. Blankenau Jonathan A. Glogau Christopher M. Kise Matthew Z. Leopold Osvaldo Vazquez Thomas R. Wilmoth floridawaterteam@foley.com</p>	<p><u>By U.S. Mail and Email:</u> Craig S. Primis, P.C. <i>Counsel of Record</i> Kirkland &amp; Ellis, LLP 655 15th St., NW Washington, D.C. 20005 Craig.primis@kirkland.com</p> <p><u>By Email Only:</u> Samuel S. Olens Nels Peterson Britt Grant Seth P. Waxman K. Winn Allen Sarah H. Warren georgiawaterteam@kirkland.com</p>

s/Michael T. Gray  
MICHAEL T. GRAY,  
United States Department of Justice  
Environment & Natural Resources Division  
701 San Marco Blvd.  
Jacksonville, FL 32207