

# KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

655 Fifteenth Street, N.W.  
Washington, D.C. 20005

Craig S. Primis, P.C.  
To Call Writer Directly:  
(202) 879-5921  
craig.primis@kirkland.com

(202) 879-5000

www.kirkland.com

Facsimile:  
(202) 879-5200

April 30, 2015

## **By E-mail and U.S. Mail**

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

*Re:* Florida v. Georgia, No. 142 Original  
Request for Adjustment to Discovery Deadlines

Dear Special Master Lancaster:

After conferring with Florida, I write on behalf of both States to seek adjustments to the current deposition and expert deadlines to align them with the discovery deadlines set forth in Case Management Order (“CMO”) No. 7. Under CMO No. 7, written discovery closes and party document productions must be completed by November 10, 2015. *See* CMO No. 7 (Apr. 8, 2015). Notwithstanding the States’ diligent efforts to continue producing documents, both Georgia and Florida anticipate that they will still be reviewing and producing documents, databases, and models throughout much of this period and potentially until the close of written discovery.

The initial Case Management Plan (“CMP”) provided for fact depositions to conclude almost seven weeks after the close of written discovery; for expert disclosures and reports to be due almost seven weeks after the close of written discovery (for offensive experts) and approximately three months after the close of written discovery (for defensive experts); and for expert depositions to conclude approximately four and a half months after the close of written discovery. The States believe that this sequencing was an efficient approach to discovery and would like to revise the current CMO to align with the timing provided in the initial CMP, but adjusted for the written discovery extension provided by CMO No. 7. Thus, to allow experts to consider the full scope of documents, data, and models produced in this case before drafting their reports, and to ensure that depositions are taken efficiently and based on a full factual record, the States respectfully request that these deposition and expert deadlines be extended by 120 days, or

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a comparable period of time. This adjustment is commensurate with the extension for production of documents provided in Case Management Order No. 7.

Specifically, the States respectfully propose January 15, 2016 as the offensive expert disclosure deadline. A 120-day extension would put the disclosure deadline on December 28, 2015 and would require the States and their experts to work through the holidays to complete affirmative expert disclosures and to incorporate these disclosures into defensive expert reports within the seven-week period contemplated by the CMP, as amended. The remaining deadlines could then flow from the new date as they are currently sequenced in the CMP.

Thank you for your consideration.

Sincerely,

/s/ Craig S. Primis

Craig S. Primis, P.C.

cc: via email

floridawaterteam@foley.com  
georgiawaterteam@kirkland.com  
michael.gray2@usdoj.gov  
james.dubois@usdoj.gov  
allen.winsor@myfloridalegal.com  
supremectbriefs@usdoj.gov