

SUPREME COURT OF THE UNITED STATES
No. 142, Original

STATE OF FLORIDA,)
)
 Plaintiff,)
)
 v.)
)
 STATE OF GEORGIA,)
)
 Defendants.)

TELEPHONE CONFERENCE before SPECIAL MASTER
RALPH I. LANCASTER, held at the law offices of Pierce
Atwood, LLP, at Merrill's Wharf, 254 Commercial Street,
Portland, Maine, on June 9, 2015, commencing at
10:00 a.m., before Claudette G. Mason, RMR, CRR, a
Notary Public in and for the State of Maine.

APPEARANCES:
For the State of Florida: ALLEN C. WINSOR, ESQ.
OSVALDO VAZQUEZ, ESQ.
CHRISTOPHER M. KISE, ESQ.
PHILIP J. PERRY, ESQ.
For the State of Georgia: CRAIG S. PRIMIS, P.C.
BRITT GRANT, ESQ.
SARAH HAWKINS WARREN, ESQ.
K. WINN ALLEN, ESQ.
For the U.S.A.: MICHAEL T. GRAY, ESQ.
Also Present: JOSHUA D. DUNLAP, ESQ.

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1 Georgia. And calling remotely, I believe,
2 also are Craig Primis, Sarah Warren, and Winn
3 Allen from Kirkland & Ellis.
4 SPECIAL MASTER LANCASTER: Thank you,
5 Georgia.
6 The United States?
7 MR. GRAY: Yes. Good morning, your
8 Honor. This is Michael Gray for the United
9 States.
10 SPECIAL MASTER LANCASTER: Is there
11 anyone else who hasn't responded to my
12 request for entrance of appearances who is on
13 the call?
14 Hearing none, I will assume none.
15 Is there anything that you want to add
16 to the status reports, Florida?
17 MR. WINSOR: This is Allen Winsor.
18 No, sir.
19 SPECIAL MASTER LANCASTER: Georgia?
20 MR. PRIMIS: No, Special Master.
21 SPECIAL MASTER LANCASTER: I think this
22 should be a relatively brief meeting. We saw
23 each other recently, and I then complimented
24 and congratulated you on the briefs. Let me
25 now compliment you on the cooperation and the
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2 PROCEEDINGS
3 SPECIAL MASTER LANCASTER: Good morning,
4 counsel.
5 MR. WINSOR: Good morning.
6 MR. PRIMIS: Good morning.
7 MS. GRANT: Good morning.
8 SPECIAL MASTER LANCASTER: I have Josh
9 and Claudette with me. You should have
10 received her transcript yesterday.
11 Let me ask if you could enter
12 appearances, please. First, for Florida.
13 MR. WINSOR: Good morning, Special
14 Master. This is Allen Winsor along with
15 Os Vazquez for Florida. And joining on the
16 line remotely, I believe, are Mr. Kise and
17 Mr. Perry from our outside counsel team.
18 SPECIAL MASTER LANCASTER: Thank you.
19 MR. KISE: Good morning, your Honor.
20 MR. PERRY: Yes, good morning, your
21 Honor.
22 SPECIAL MASTER LANCASTER: Thank you.
23 Georgia?
24 MS. GRANT: Good morning, your Honor.
25 This is Britt Grant from the State of
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1 progress you're making on discovery. I'm
2 pleased to see that the parties are
3 continuing to work together to resolve the
4 issues.
5 I just want to remind you that the
6 parties are expected to complete discovery
7 within the recently extended time frame with
8 no further extensions.
9 Do you expect any difficulties regarding
10 the timelines of responses by third parties,
11 Florida?
12 MR. WINSOR: Your Honor, not at this
13 time. I think that we're getting
14 satisfactory responses on the whole from the
15 third parties.
16 SPECIAL MASTER LANCASTER: Georgia?
17 MR. PRIMIS: Third party discovery --
18 this is Craig Primis.
19 Third party discovery is moving along
20 well, and we're making good progress. There
21 are substantial amounts of information that
22 we're working in good faith with the United
23 States to produce, but they have multiple
24 agencies and a lot of information. And so
25 I'm not saying that we don't expect it to be
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1 complete, but I just raise as a potential
 2 issue the timing and the volume of
 3 information from the United States.
 4 SPECIAL MASTER LANCASTER: Well, the
 5 volume of the information certainly is huge.
 6 I couldn't help noting that there are a total
 7 of 100 contract lawyers, 60 in one case and
 8 40 in another, which tell me that you're
 9 going to have an enormous volume of documents
 10 when you're finished. I hope -- I hope, but
 11 I am not very confident, that that volume
 12 will not be all introduced into evidence; but
 13 we'll see.
 14 So now, again, keeping in mind that the
 15 transcript will be on my docket, I'm going to
 16 ask if you're continuing to talk about
 17 settlement, but no details, please. Florida?
 18 MR. PRIMIS: Yes, your Honor. Not a lot
 19 I can tell you other than we are certainly
 20 aware of the Court's admonition to proceed
 21 with settlement, and talks are continuing.
 22 SPECIAL MASTER LANCASTER: Georgia?
 23 MS. GRANT: Yes, your Honor. This is
 24 Georgia's perspective as well.
 25 This is Britt Grant.
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1 And we're also aware of the Special
 2 Master's desire for settlement and are
 3 continuing to talk.
 4 SPECIAL MASTER LANCASTER: One final
 5 thing from me. I assume that you got the
 6 Supreme Court's Order approving my request
 7 for fees, which was mailed on May 18.
 8 Florida?
 9 MR. WINSOR: Yes, your Honor. We're
 10 making arrangements to satisfy that.
 11 SPECIAL MASTER LANCASTER: Georgia?
 12 MS. GRANT: Yes, your Honor. We're also
 13 making arrangements to satisfy that.
 14 SPECIAL MASTER LANCASTER: Well, I'm
 15 just reminding you because while other
 16 Special Masters require an escrow
 17 arrangement, I have not done that in the
 18 past; and I do not intend to do it here. But
 19 I do expect reasonably prompt payment.
 20 MR. WINSOR: Yes, sir.
 21 MS. GRANT: Yes, your Honor.
 22 SPECIAL MASTER LANCASTER: I predicted
 23 that this wouldn't take very long, and it
 24 hasn't. I thought at one point of canceling
 25 it, but I thought we ought to continue on
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1 schedule as usual.
 2 Is there anything else from Florida?
 3 MR. WINSOR: No, sir.
 4 SPECIAL MASTER LANCASTER: From Georgia?
 5 MR. PRIMIS: No, sir.
 6 MS. GRANT: No, sir, nothing from
 7 Georgia.
 8 SPECIAL MASTER LANCASTER: From the
 9 United States?
 10 MR. GRAY: Briefly, if I may, I would
 11 like to address just the third-party requests
 12 to the United States, since you asked about
 13 those. And we do think that for at least
 14 some of the agencies, we are going to need
 15 more than the 120 days. I have asked for
 16 updates from all the agencies. And the
 17 Department of Commerce, it sounds like, is
 18 very close to completing everything it needs
 19 to and expects at this point to meet and
 20 produce everything within 120 days. But
 21 the other agencies, given the amount of
 22 documents and the resources required and the
 23 scope of the request expect that they're
 24 going to need some more time for various
 25 issues, particularly issues related to the --
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1 some predecisional documents that may become
 2 final and releasable after that 120 days.
 3 Older data they think is going to take a
 4 little bit longer to produce. So I do think
 5 it would be helpful for us to have an
 6 extension of that 120 days.
 7 SPECIAL MASTER LANCASTER: Well, I'm
 8 sure it would be helpful for you; but I will
 9 tell you that at the moment, I'm not inclined
 10 to grant it. If you want to make a motion,
 11 I'll entertain it; but we're well beyond the
 12 original schedule. And I -- you can use that
 13 as a hammer, if you want to, with the
 14 agencies. But the sooner we can get this
 15 material in your hand -- in the hands of the
 16 people who are looking for it, the sooner
 17 they can make decisions on what is relevant
 18 and important for my decision and the Court's
 19 decision ultimately. And I am reluctant to
 20 grant any further extensions.
 21 You can tell them that. Then we'll see
 22 where we go from there.
 23 MR. GRAY: I understand. And we -- I
 24 think the current 120 days expires July 10.
 25 And I will circle back with the agencies and
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1 then see whether we need to put together a
2 motion for you. I expect that we will for at
3 least some of the agencies.

4 But I appreciate the hammer you have
5 given me which I can use a little bit.

6 SPECIAL MASTER LANCASTER: You can tell
7 them that the grumpy grouch is not inclined
8 to give anyone extensions at this point.

9 Is there anything further from Florida?

10 MR. WINSOR: No, sir.

11 SPECIAL MASTER LANCASTER: Anything
12 further from Georgia?

13 MS. GRANT: No, your Honor, nothing further.

14 SPECIAL MASTER LANCASTER: Well, thank
15 you again. I'm sorry to burden you with this
16 very brief and perhaps not awe-inspiring
17 conference, but I thought it better to keep
18 the schedule than to cancel it.

19 So we look forward to the next one.

20 MR. WINSOR: Yes, sir. Thank you.

21 MR. PRIMIS: Thank you.

22 MS. GRANT: Thank you, sir.

23 SPECIAL MASTER LANCASTER: Thank you.

24 (The telephone conference was concluded
25 at 10:09 a.m.)

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1 CERTIFICATE

2 I, Claudette G. Mason, a Notary Public
3 in and for the State of Maine, hereby certify
4 that the foregoing 10 pages are a correct
5 transcript of my stenographic notes of the
6 above-captioned proceedings.

7 I further certify that I am a
8 disinterested person in the event or outcome
9 of the above-named cause of action.

10 IN WITNESS WHEREOF, I subscribe my hand
11 this 15th day of June, 2015.

12

13

14

15

Notary Public

16

17

18 My Commission Expires

19 June 9, 2019.

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