

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. 11

October 6, 2015

CASE MANAGEMENT ORDER NO. 11

On September 23, 2015, the parties notified the Special Master of a dispute regarding the number of non-expert depositions that should be permitted in the present proceeding. The parties subsequently presented their positions at a teleconference held on September 29, 2015. Georgia argued that a lack of meaningful limits would result in “scattershot” and “overlapping” depositions, create unnecessary expense, and potentially endanger the discovery schedule. Accordingly, Georgia requested a limit of twenty depositions for each party. Florida argued that the nature of this original jurisdiction proceeding renders a limit of twenty depositions inappropriate. Florida made the representation that forty-five was the “real number” of depositions that it intended to take, and that it believed would be sufficient. Florida also made the further representation that it has “a plan to complete all these depositions by the deadline.”

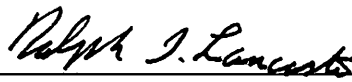
In original jurisdiction actions, the interest of sovereign States in the full factual development of relevant issues, *see United States v. Texas*, 339 U.S. 707, 715 (1950), must be balanced against the competing interest in preventing unnecessary delay and expense, *see Ohio v. Kentucky*, 410 U.S. 641, 644 (1973). Based upon the parties’ representations, a limit of forty-five (45) non-expert depositions per party is necessary and sufficient in this proceeding.

The parties are strongly encouraged to cooperate in order to minimize the number of depositions taken. To avoid unnecessary and costly discovery, the parties shall meet and confer in order to identify relevant issues and deponents with the greatest amount of information. The parties are encouraged to use Rule 30(b)(6) depositions as a vehicle to obtain efficiently the necessary discovery. The parties are also strongly encouraged to prioritize among potential deponents in order to ensure that all essential depositions are completed under the established

limitations and deadlines. No enlargement in the number of depositions shall be granted, and no extension of the deadline for non-expert depositions will be forthcoming.

For purposes of the proceedings before the Special Master, IT IS HEREBY ORDERED THAT: Pursuant to Case Management Plan Section 5.2.8, each party shall be permitted to take no more than forty-five (45) non-expert depositions. The parties shall meet and confer in an effort to minimize the number of depositions to be taken.

Dated: October 6, 2015



Ralph I. Lancaster
Special Master

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