

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 April 5, 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: PHILIP J. PERRY, ESQ.
JONATHAN L. WILLIAMS, ESQ.

For the State of Georgia: CRAIG S. PRIMIS, ESQ.
K. WINN ALLEN, ESQ.
DEVORA W. ALLON, ESQ.
BRITT GRANT, ESQ.
SARAH HAWKINS WARREN, ESQ.

For the U.S.A.: MICHAEL T. GRAY, ESQ.
JAMES J. DUBOIS, ESQ.

Also Present: JOSHUA D. DUNLAP, ESQ.
MARY CLIFFORD

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1 the principal spokesperson for Florida,
2 Mr. Perry?
3 MR. PERRY: Yes, your Honor.
4 SPECIAL MASTER LANCASTER: Georgia?
5 MR. PRIMIS: Your Honor, this is Craig
6 Primis from Kirkland & Ellis for Georgia. I
7 have my colleagues Winn Allen and Devora
8 Allon on the line as well as the state
9 Solicitor General who is going to introduce
10 herself.
11 MS. GRANT: Your Honor, good morning.
12 This is Britt Grant, Solicitor General of
13 Georgia. And also here is Sarah Warren,
14 Deputy Solicitor General of Georgia.
15 SPECIAL MASTER LANCASTER: Good morning.
16 United States?
17 MR. GRAY: Good morning, your Honor.
18 This is Michael Gray for the United States.
19 SPECIAL MASTER LANCASTER: Any others?
20 MR. DUBOIS: And this is Jim Dubois
21 also. Good morning, your Honor.
22 SPECIAL MASTER LANCASTER: Any others?
23 All right. Let me ask, first, as I
24 usually do, are there any additions to your
25 status reports? Florida?

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1 PROCEEDINGS
2 SPECIAL MASTER LANCASTER: Good morning,
3 counsel.
4 MR. PERRY: Good morning, your Honor.
5 MS. GRANT: Good morning, your Honor.
6 MR. PRIMIS: Good morning, your Honor.
7 SPECIAL MASTER LANCASTER: We have the
8 talented Mary Clifford here with us and the
9 indispensable Claudette Mason. Our case
10 manager, Mr. Dunlap, is taking depositions
11 in, of all places, Tampa, Florida; but he was
12 going to join us by phone.
13 Josh, are you there?
14 MR. DUNLAP: Yes, I am.
15 SPECIAL MASTER LANCASTER: You'll be
16 happy to know that when I left the house this
17 morning, it was 19 degrees. I assume it's a
18 little better down there.
19 MR. DUNLAP: It is nicer here, yes.
20 SPECIAL MASTER LANCASTER: Well, let's
21 start with appearances, as usual. Florida?
22 MR. PERRY: Your Honor, Phil Perry for
23 Florida. And with me today is Jonathan
24 Williams of the Solicitor General's Office.
25 SPECIAL MASTER LANCASTER: Will you be
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1 MR. PERRY: No, your Honor.
2 SPECIAL MASTER LANCASTER: Mr. Primis?
3 MR. PRIMIS: No, your Honor.
4 SPECIAL MASTER LANCASTER: Well, let me
5 turn to my favorite topic, mediation and
6 settlement, and congratulate you on your
7 efforts. First, it's obvious that you chose
8 a nationally known and excellent mediator.
9 And she obviously is doing a great job.
10 Second, by having representatives of the
11 principals from each state present, you
12 obviously are trying to involve the decision
13 makers themselves. Permit me, however, to
14 caution you that if they're not the final
15 decision makers, it will become necessary to
16 have those with final authority present at
17 some future session.
18 And as you, I hope, know, if you are
19 able to reach a deal, let me add that I will
20 be available 24-seven to take your call
21 telling me that this matter is settled. And
22 I mean that. Anytime.
23 Is there anything else, Florida?
24 MR. PERRY: No, your Honor.
25 SPECIAL MASTER LANCASTER: Georgia?
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1 MR. PRIMIS: No, your Honor.
 2 SPECIAL MASTER LANCASTER: Anything you
 3 want to add, Mr. Gray?
 4 MR. GRAY: No, your Honor.
 5 SPECIAL MASTER LANCASTER: Well, let me
 6 address one last thing before we end. And
 7 please don't respond to what I'm about to
 8 say. Instead, I want you to take this up at
 9 your next meet and confer session.
 10 I appreciate that last Friday was April
 11 Fool's Day and that you understandably think
 12 that September is a long way off. Trust me;
 13 it's just around the corner. So at one of
 14 our conference calls, sooner rather than
 15 later, I will want to hear from you, from
 16 both states, on such things as whether you
 17 want to file the dispositive motions and then
 18 have a trial, whether you want to have a
 19 trial and then file dispositive motions, or
 20 both, the number and identity of witnesses
 21 you intend to call, the length of time you
 22 think will be needed for the trial, any pre
 23 or post-trial briefing schedules and, most
 24 importantly, where you want the trial held.
 25 I say most importantly because I'll have
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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 6 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 7th day of April, 2016.
 12
 13
 14 _____
 15 Notary Public
 16
 17
 18 My Commission Expires
 19 June 9, 2019.
 20
 21
 22
 23
 24
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1 to make arrangements for a courtroom and
 2 staffing and everything that goes with that.
 3 I'm comfortable with any location, Florida,
 4 Georgia, Alabama, Maine, the District of
 5 Columbia, anywhere you prefer and agree on.
 6 And if you can't agree, I'll tell you I will
 7 arbitrarily pick one.
 8 I probably left out things that will
 9 occur to you as you discuss these things; so
 10 please don't regard the suggestions I have
 11 made as exclusive. But, please, do remember
 12 to confer and talk about them because at some
 13 fairly recent conference, we're going to
 14 address them.
 15 Finally, Poisson d'Avril, we are
 16 adjourned.
 17 MR. PERRY: Thank you, your Honor.
 18 MS. GRANT: Thank you, your Honor.
 19 MR. PRIMIS: Thank you very much.
 20 (The telephone conference was concluded
 21 at 10:06 a.m.)
 22 - - - - -
 23
 24
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