

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

ORDER ON MOTIONS FOR LEAVE TO FILE *AMICUS* BRIEFS

September 21, 2016

ORDER ON MOTIONS FOR LEAVE TO FILE *AMICUS* BRIEFS

The Special Master has received twelve timely motions for leave to file a brief by persons or entities seeking to participate as *amicus curiae*. The following have requested leave to submit an *amicus* brief:

- Professor J.B. Ruhl;
- Lake Lanier Association, Inc.;
- National Audubon Society, Defenders of Wildlife, Florida Wildlife Federation, and Apalachicola Riverkeeper;
- Georgia Farm Bureau Federation;
- Metro Atlanta Chamber of Commerce, Inc., Regional Business Coalition of Metropolitan Atlanta, Inc., and Georgia Chamber of Commerce, Inc.;
- Atlanta Regional Commission;
- State of Alabama;
- Georgia Municipal Association, Association of County Commissioners of Georgia, Georgia Association of Water Professionals, and Georgia Conservancy;
- Chattahoochee Riverkeeper, Flint Riverkeeper, and Alabama Rivers Alliance;
- Georgia Agribusiness Council, Inc., Georgia Green Industry Association, Inc., and Georgia Urban Agriculture Council, Inc.;
- American Peanut Shellers Association, and Georgia Fruit and Vegetable Growers Association; and
- State of Colorado.

Professor Ruhl, the National Audubon Society *et al.*, the Georgia Farm Bureau Federation, the Metro Atlanta Chamber of Commerce *et al.*, the Atlanta Regional Commission, the State of Alabama, the Georgia Municipal Association *et al.*, the Chattahoochee Riverkeeper *et al.*, the Georgia Agribusiness Council *et al.*, the American Peanut Shellers Association *et al.*, and the State of Colorado each requests the opportunity to file a brief by the deadline established in Case Management Order (“CMO”) No. 20. The National Audubon Society *et al.* and the State of Colorado also request the opportunity to file an *amicus* brief at a later date, while the Lake Lanier Association only requests the opportunity to file an *amicus* brief outside the deadline.

The motions for leave filed by Professor Ruhl, the Georgia Farm Bureau Federation, the Metro Atlanta Chamber of Commerce *et al.*, the Atlanta Regional Commission, the State of

Alabama, the Georgia Municipal Association *et al.*, the Chattahoochee Riverkeeper *et al.*, the Georgia Agribusiness Council *et al.*, and the American Peanut Shellers Association *et al.* are hereby GRANTED. The motions for leave filed by the National Audubon Society *et al.* and the State of Colorado are hereby GRANTED IN PART and DENIED IN PART. The National Audubon Society *et al.* and the State of Colorado may submit an *amicus* brief by the deadline set forth in CMO No. 20, but may not submit an *amicus* brief out of time. The motion for leave filed by the Lake Lanier Association is hereby DENIED, as only requesting leave to submit an *amicus* brief out of time.

Persons or entities participating as *amicus curiae* are strongly encouraged to focus their briefs on the Supreme Court's equitable apportionment jurisprudence, other pertinent judicial precedent, relevant state and federal statutes and regulations, and the application of this legal framework to the considerations relevant to the resolution of this original jurisdiction proceeding. Assertions of fact which cannot be judicially noticed will be of minimal (if any) relevance, as the factual record will be developed by the parties at trial. *Amici* are reminded that, pursuant to CMO No. 20, briefs shall not exceed 25 pages. All *amicus* briefs must conform to the requirements set forth in Paragraph 2 of the Case Management Plan dated December 3, 2014.

IT IS SO ORDERED.

Dated: September 21, 2016

/s/ Ralph I. Lancaster

Ralph I. Lancaster
Special Master

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