

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. 1

December 3, 2014

CASE MANAGEMENT ORDER NO. 1

For purposes of the proceedings before the Special Master, IT IS HEREBY ORDERED THAT:

1. Pleadings

1.1 The Complaint for Equitable Apportionment and Injunctive Relief originally filed with the United States Supreme Court and subsequently re-filed with the Special Master by Florida shall be treated as a complaint under United States Supreme Court Rule 17(2) and Federal Rules of Civil Procedure 8-11.

1.2 On or before February 2, 2015, Georgia shall file an answer to the Complaint.

1.3 Should Georgia wish to preserve any defense listed in Federal Rule of Civil Procedure 12(b)(2)-(5) or (7), it shall file a motion setting forth the legal and factual grounds for such a defense on or before February 9, 2015. Otherwise, such defenses will be waived. Any party opposing such a motion will have ten (10) days to respond.

1.4 Should Georgia wish to contend that the Complaint or any portion of the Complaint fails to state a claim upon which relief can be granted, it may file a motion to that effect at the time that it files its answer. Any party opposing such a motion will have ten (10) days to respond.

2. Adoption of Case Management Plan

The Case Management Plan filed this date is hereby adopted to govern all aspects of these proceedings not addressed by the express terms of this Case Management Order.

3. Status Conferences

The Special Master will convene conferences of counsel by telephone on the following dates at 10:00 a.m. EST: February 10, 2015, March 10, 2015, and April 7, 2015. Additional status conferences will be scheduled on a rolling basis.

4. Participation of the United States

On or before February 9, 2015, counsel for the United States shall file a statement with the Special Master specifying the nature of its intended current participation in this matter, if any. Any party objecting to that intended current participation shall file a brief explaining its objection by February 16, 2015. Should the United States ultimately seek to intervene, it should not presume that any deadlines in the Case Management Plan will be reset.

5. Objections and Requests for Modification

Any objections to this Case Management Order or the Case Management Plan shall be filed by December 10, 2014. The filing of an objection will not suspend the effectiveness of either this Order or the Case Management Plan absent further order of the Special Master.

Dated: December 3, 2014



Ralph I. Lancaster
Special Master

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