

RALPH I. LANCASTER

Merrill's Wharf
254 Commercial Street
Portland, ME 04101

P 207.791.1260
F 207.791.1350
C 207.653.1979
rlancaster@pierceatwood.com
pierceatwood.com

Admitted in: MA, ME

November 21, 2014

Via Email and U.S. Mail

Allen C. Winsor
Solicitor General
Office of the Attorney General
The Capitol, PL-01
Tallahassee, FL 32399-1050
allen.winsor@myfloridalegal.com

Samuel S. Olens
Attorney General
Office of Georgia Attorney General
40 Capitol Square, SW
Atlanta, GA 30334
AGOlens@law.ga.gov

Seth P. Waxman, Esq.
Wilmer Cutler Pickering Hale and Dorr
LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
seth.waxman@wilmerhale.com

Donald B. Verrilli, Jr.
Solicitor General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
SupremeCtBriefs@USDOJ.gov

Re: Telephone Conference – No. 142, Orig. *Florida v. Georgia*

Dear Counsel:

As you are aware, I have been appointed Special Master in No. 142, Original.

So that we may move this matter along as expeditiously as possible, I have scheduled a telephone conference at 10 a.m. EST on Monday, December 1, 2014. Please call in by using conference line telephone no. 1-877-211-3621; passcode: 396 629 7245#.

I am sending this letter by email and hard copy, which will follow, to counsel of record as shown on the Supreme Court's docket. If other counsel should be notified, please do so.

The agenda for the conference will be as follows:

1. Identification of counsel of record;

2. Identification of those to be served and the number of copies to be served as the matter proceeds;
3. Agreement on methods of communication, *e.g.*, email, overnight delivery, facsimile, regular mail, etc.
4. Identification of any potential requests to intervene and/or for amicus status;
5. Identification of issues of fact and law;
6. Identification of any anticipated preliminary motions;
7. Process for drafting and approval of a Case Management Plan;*
8. Staffing for and compensation of the Special Master, reimbursement of expenses and billing procedures; and
9. Any other matters you wish to raise.

In anticipation of this conference, I urge you to confer and identify matters that may be stipulated and to discuss matters you may want included in the Case Management Plan. I am hopeful that you will be able to agree on the issues that we will need to address but, in any event, it is very important that those issues be clearly identified during our conference. The more of this collaborative work that you can accomplish in anticipation of the conference, the easier it will be to address any remaining, unresolved questions.

I will have a court reporter present to record our discussions.

I look forward to meeting you on Monday, December 1st, by telephone.

Sincerely,



Ralph I. Lancaster

RIL/mlc

*A Case Management Plan ("CMP") will be a writing, adopted by a Case Management Order ("CMO"), used to control the course of the proceedings. It will include any agreements between the parties concerning aspects of the course of the litigation and will go into effect only when issued. It will, at a minimum, include:

- a. Identification of the governing procedural rules, including any Federal Rules of Civil Procedure, that will be followed;
- b. A timeline of events and deadlines (*e.g.* for serving discovery requests, filing motions, etc.);
- c. An outline of a format for documents being submitted (*e.g.*, caption, length, number of copies, labeling of exhibits, etc.);
- d. Description of how discovery, if any, will take place and what copies of discovery materials should be submitted to the Special Master during the discovery period;
- e. The dates for conclusion of each phase of any discovery;
- f. The taking of evidence, if necessary;
- g. The beginning of any evidentiary hearing, if necessary;
- h. The location(s) at which face-to-face status conferences, hearings, etc., if any, will be held; and
- i. The method of resolving any procedural disputes.