

No. 141, Original

IN THE
SUPREME COURT OF THE UNITED STATES

◆
STATE OF TEXAS,

Plaintiff,

v.

STATE OF NEW MEXICO and
STATE OF COLORADO,

Defendants.

◆
OFFICE OF THE SPECIAL MASTER

◆
**STATE OF NEW MEXICO'S
JANUARY 3, 2020 STATUS REPORT**

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January 3, 2020

COMES NOW the State of New Mexico and respectfully submits this status report to the Special Master pursuant to Paragraph 5 of the Case Management Plan.

Since New Mexico filed its previous Status Report on December 6, 2019, the following developments have occurred in *Texas v. New Mexico and Colorado*, No. 141, Original: First, Texas scheduled and took the depositions of two additional expert witnesses disclosed by New Mexico on December 9 and 10 and December 18, 2019. As of the date of this status report, Texas has scheduled the deposition of three additional New Mexico experts on January 16, 22, 23, and 24, 2020. The parties currently are negotiating dates for the depositions of additional expert and lay witnesses before the close of discovery on May 1, 2020. Second, on December 20, 2019, New Mexico made a supplemental disclosure for one of its disclosed experts.

Third, the parties have made additional disclosures and productions. New Mexico made additional disclosures of electronically stored information (ESI) retrieved from state computers on December 13 and 30, 2019. On December 18 and 31, 2019, New Mexico also uploaded to the Veritext Vault disclosures it has received from non-parties in response to subpoena requests. New Mexico continues to review documents identified in its ESI search and intends to disclose these documents on a rolling basis. On December 23, 2019, New Mexico also issued a subpoena seeking production of documents from amicus Hudspeth County Conservation and Reclamation District No. 1.

Fourth, on December 16, 2019, Texas made its first supplemental disclosure of ESI. Colorado also made a disclosure of ESI on December 16, 2019. On December 30, 2019, the United States and Texas disclosed expert rebuttal reports and supporting materials. New Mexico is reviewing these disclosures and preparing to make its own rebuttal expert disclosures on March 27, 2020.

New Mexico also continues to participate in regular discovery management calls with the other parties.

Respectfully submitted this 3rd day of January, 2020,

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CERTIFICATE OF SERVICE

This is to certify that on the 3rd of January, 2020, I caused true and correct copies of the **State of New Mexico's January 3, 2020 Status Report** to be served by e-mail and U.S. Mail on the Special Master and by e-mail to all counsel of record and interested parties on the Service List, attached hereto.

Respectfully submitted this 3rd day of January, 2020.

/s/ Michael A. Kopp _____

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