

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 DISCLOSURE OF
REBUTTAL MODELING EXPERT WITNESSES**

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July 15, 2020

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Pursuant to Federal Rule of Civil Procedure 26(a)(2) and the Case Management Plan adopted by the Honorable Michael J. Melloy, Special Master, on September 6, 2018, as amended (“CMP”), including the Special Master’s May 26, 2020 Order extending the State of New Mexico’s (“New Mexico”) deadline to file expert rebuttal reports for its *modeling experts* to July 15, 2020, New Mexico hereby discloses the identities of the following retained *modeling rebuttal experts*:

1. Gilbert Barth, Ph.D.
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In accordance with Federal Rule of Civil Procedure 26(a)(2)(B) and the CMP, and agreement between the parties, written rebuttal reports prepared and signed by the above-referenced retained experts are served concurrently herewith. With the exception of certain model data and associated supporting data, which has been transmitted to the named parties via portable hard drives, all written reports and supporting data, files and references are available to download using the following link:

<https://troutlaw.sharefile.com/d-s16ddb5c6f6b4d0da>

New Mexico is also transmitting all materials on Sharefile to the Veritext Vault. New Mexico will provide hard drives with copies of the model data to amici upon written request.

In addition to the rebuttal reports and supporting materials for the above witnesses, New Mexico is disclosing revised versions of the original expert reports of said witnesses that were originally disclosed October 31, 2019. The revisions to these reports reflect updates that have been made to the Integrated Lower Rio Grande Model developed by New Mexico along with minor corrections within each report, and do not alter any of the opinions offered in the original

reports. Each revised version of the original expert reports includes a detailed errata outlining every update and correction.

New Mexico continues to reserve its right to rely upon and use the testimony of any and all expert witnesses identified by all parties to this action and to present rebuttal testimony to any such witnesses. New Mexico also reserves the right to amend or supplement this disclosure pursuant to Federal Rules of Civil Procedure 26(a)(2) and 26(e).

Respectfully submitted: July 15, 2020

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STATE OF NEW MEXICO'S CERTIFICATE OF SERVICE

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This is to certify that on the July 15, 2020, I caused a true and correct copy of the **State of New Mexico's Disclosure of Rebuttal Modeling Expert Witnesses** to be served by e-mail on all counsel of record and interested parties on the Service List, attached hereto.

Respectfully submitted this July 15, 2020.

/s/ Michael A. Kopp

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