

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 TEXAS'S MAY 2019 STATUS REPORT

STUART L. SOMACH, ESQ.*
ANDREW M. HITCHINGS, ESQ.
ROBERT B. HOFFMAN, ESQ.
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**Counsel of Record*

May 3, 2019

COMES NOW the State of Texas (Texas) and provides the following status report to the Special Master pursuant to paragraph 5 of the Case Management Plan (CMP), as amended.

Since filing Texas's April Status Report, Texas received and continues to review documents provided by the Texas Water Development Board and Texas Commission on Environmental Quality to determine responsiveness, and evaluate for production to the parties and *amici curiae* as expeditiously as possible. Additionally, Texas noticed and conducted numerous depositions of current and former employees of New Mexico, attended by the parties and various *amici curiae*. Texas has noticed additional depositions of New Mexico current and former employees, scheduled from May 2019 through July 2019. New Mexico has served third party subpoenas for production of documents and has made available, productions received from *amici curiae*, El Paso Water Utilities and El Paso County Water Improvement District No. 1.

The parties continue to participate in bi-weekly discovery teleconferences to address any issues that arise during the course of ongoing discovery, including their collective efforts to coordinate the scheduling of depositions, and to discuss their respective collections and disclosures of documents and electronically stored information (ESI) responsive to requests for productions and relevant to the subject matter of this original action.

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The parties and *amici curiae* attended the April 2, 2019 in-person hearing before the Special Master in Denver, Colorado, regarding the various pending motions for judgment on the pleadings and motions addressing previously decided legal issues.

Dated: May 3, 2019

Respectfully submitted,

s/ Stuart L. Somach

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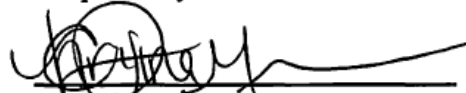
Defendants.

OFFICE OF THE SPECIAL MASTER

CERTIFICATE OF SERVICE

This is to certify that on this 3rd day of May 2019, I caused a true and correct copy of **The State of Texas's May 2019 Status Report** to be served upon all parties and *amici curiae*, by and through the attorneys of record and/or designated representatives for each party and *amicus curiae* in this original action. As permitted by order of the Special Master, and agreement among the parties, service was effected by electronic mail to those individuals listed on the attached service list, which reflects all updates and revisions through the current date.

Respectfully submitted,



Christina Garro

Dated: May 3, 2019

SERVICE LIST

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(Service via E-Mail and U.S. Mail)

Honorable Michael J. Melloy

Special Master
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