

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 REVISED ANTICIPATED ORDER OF WITNESSES  
FOR OCTOBER 2021 REMOTE TRIAL SETTING**

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October 15, 2021

The State of New Mexico, pursuant to the September 16, 2021, Order Regarding Remote Trial Protocol, provides the following revised and updated list of witnesses that it anticipates calling to testify during the October 2021 remote trial setting, with the New Mexico case-in-chief anticipated to start on Tuesday, October 19, 2021. The list is arranged in the order that New Mexico anticipates calling the witnesses and indicates New Mexico’s anticipated amount of time for direct testimony. The witness order has been slightly modified from the State of New Mexico’s Anticipated Order of Witnesses for October 2021 Remote Trial Setting, filed on September 23, 2021 [Dkt. 599], to accommodate witness availability and to schedule expert Lee Wilson, Ph.D. for the March 2022 trial. The order of witnesses may further change as necessary to accommodate witness availability. The descriptions of anticipated trial testimony remain the same as described on September 23, 2021. New Mexico also reserves the right to call any witness from its “Will-Call” or “May-Call” lists as reflected in Appendix B of the State of New Mexico’s Pretrial Conference Statement filed on August 25, 2021 [Dkt.565]:

| <b>REVISED /<br/>CURRENT<br/>WITNESS<br/>ORDER</b> | <b>WITNESS</b>          | <b>ANTICIPATED<br/>HOURS OF<br/>DIRECT<br/>EXAMINATION</b> |
|--|-------------------------|--|
| 1  | Jennifer Stevens, Ph.D. | 4  |
| 2  | Rolf Schmidt-Petersen   | 4  |
| 3  | Shayne Franzoy          | 1  |
| 4  | Gregory M. Carrasco     | 2  |
| 5  | David Salopek           | 2  |
| 6  | Jorge Garcia, Ph.D.     | 1.5  |
| 7  | Scott Eschenbrenner     | 2  |
| 8  | Mike Greene             | 2  |
| 9  | John Stomp              | 1  |

|                               |   |   |
|-------------------------------|---|---|
| 10                            | Edward Drusina <sup>1</sup>                             | 1 |
| 11                            | Daniel Chavez   | 2 |
| 12                            | Kelly Mills (Texas Commission on Environmental Quality) | 1 |
| 13                            | Larry French (Texas Water Development Board)            | 1 |
| 14                            | Brent Westmoreland                                      | 2 |
| 15                            | John Longworth, P.E.                                    | 3 |
| 16                            | Ryan Serrano  | 3 |
| 17                            | Randy Garay   | 1 |
| 18                            | Sally Stahmann-Solis                                    | 1 |
| Reserved for March 2022 trial | Lee Wilson, Ph.D.                                       | 2 |

In addition to the foregoing, New Mexico reserves the right to call any of the witnesses identified or disclosed by Texas, the United States, or Colorado, including designated experts. New Mexico also reserves the right to call rebuttal witnesses as necessary. Witnesses may testify, in addition to the areas listed for each witness, to any subject touched upon during their deposition, or any declaration submitted in connection with this case.

Dated: October 15, 2021

Respectfully submitted,

By: /s/ Jeffrey J. Wechsler  
Jeffrey J. Wechsler

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<sup>1</sup> New Mexico will contact Texas and the United States to determine the necessity of calling Mr. Drusina to trial.

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**OFFICE OF THE SPECIAL MASTER**  
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**STATE OF NEW MEXICO’S CERTIFICATE OF SERVICE**  
◆  
\_\_\_\_\_

This is to certify that on October 15, 2021, I caused a true and correct copy of the **State of New Mexico’s Revised Anticipated Order of Witnesses for October 2021 Remote Trial Setting** to be served by e-mail and U.S. Mail upon the Special Master and by e-mail upon all counsel of record and interested parties on the Service List, attached hereto.

Respectfully submitted this 15th day of October, 2021.

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