

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
DECEMBER 6, 2019 STATUS REPORT**

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December 6, 2019

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 November 1, 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 expert witnesses disclosed by New Mexico. As of the date of this status report, Texas has scheduled the depositions of two additional New Mexico experts on December 9 and 10, 2019, and on December 18, 2019. It is not yet clear to New Mexico whether Texas will schedule the depositions of any additional New Mexico experts prior to the plaintiffs' December 30, 2019 deadline to produce rebuttal expert disclosures.

Second, on November 12, 2019, New Mexico made a supplemental disclosure of supporting materials considered by certain of its disclosed experts. If and when New Mexico becomes aware of any additional materials considered by any of its disclosed experts, it will promptly disclose those materials as well.

Third, the parties have made additional disclosures and productions. On November 7, 2019, New Mexico made its first disclosure of electronically stored information (ESI) retrieved from state computers. New Mexico made its first supplemental disclosure of ESI on November 19, 2019. New Mexico continues to review documents identified in its ESI search and intends to disclose these documents on a rolling basis.

On November 18, 2019, Texas made its first disclosure of ESI. New Mexico understands that Texas intends to produce additional ESI, as well. On December 4, 2019, the United States produced certain documents in response to New Mexico's September 4, 2019 request for production. The United States also responded to New Mexico's September 4, 2019 requests for

admission on November 4, 2019, and responded to New Mexico's September 4, 2019 interrogatories on November 19, 2019.

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

Respectfully submitted this 6th day of December, 2019,

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CERTIFICATE OF SERVICE

This is to certify that on the 6th of December, 2019, I caused true and correct copies of the **State of New Mexico's December 6, 2019 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 6th day of December, 2019.

/s/ Michael A. Kopp _____

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