

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

CASE MANAGEMENT ORDER NO. 1

December 18, 2014

CASE MANAGEMENT ORDER NO. 1

For the purposes of the proceedings before the Special Master, IT IS HEREBY ORDERED:

1. Case Management Orders

The Special Master will issue Case Management Orders at such times as he deems appropriate. The Case Management Orders will apply to and bind all parties, will control the course of the proceedings, and may be modified only by Order of the Special Master.

2. Initial Status Conference

The Initial Status Conference will be conducted by telephone at 11:00 a.m., Central Standard Time, on January 6, 2015. All parties may participate in the conference by dialing **866-270-7427** and entering Access Code ***3607823***. Please be sure to enter the * at the beginning and end of the Access Code.

3. Agenda

The agenda of the Initial Status Conference is as follows:

- a. Introduction of the Special Master and his staff, attorneys Patrick M. Shelby and Meredith S. Grabill (whose credentials and experience appear at www.gordonarata.com), as well as a paralegal;
- b. Discussion of fees and expenses. The Special Master proposes to apply for compensation for his time at the rate of \$400 per hour, for the time of Patrick M. Shelby and Meredith S. Grabill at a rate of \$300 per hour, and for the time of a paralegal at a rate of \$125 per hour. The Special Master also proposes to apply for compensation for the time of consultant Professor Gregg M. Maggs, whose credentials and experience appear at <http://www.law.gwu.edu/Faculty/profile.aspx?id=1769>, at the rate of \$350 per hour.
- c. Procedure for application for approval and payment of fees and expenses;
- d. Rules governing proceedings;
- e. Method for filing of papers with Special Master and of service: All documents shall be filed pursuant to the United States Supreme Court rules, except that all pleadings, papers, and documents should be filed with the Special Master on 8½ x 11-inch paper. The parties shall file pleadings, papers, and all other documents with the Special Master via e-mail of PDF files to the designated e-mail address, **Original.141@gordonarata.com**. Four

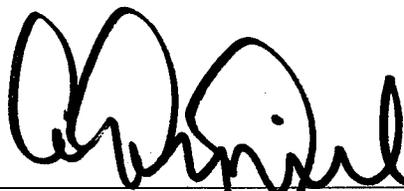
hard-copy sets of each filing shall also be sent to the Special Master by first-class mail to the address listed below. The parties shall serve individuals on the Distribution List for Service of Documents listed in Appendix A. Service will be made in quantities agreed to by the parties at the Initial Status Conference. All pleadings, papers, and other documents submitted to the Special Master must indicate, in the certificate of service or elsewhere, the means by which service or transmittal has been accomplished;

- f. The docket required to be maintained by the Special Master may be found at www.gordonarata.com/tvnm;
- g. Venue for conferences and other proceedings;
- h. Status of New Mexico's Motion To Dismiss the Complaints of Texas and the United States;
- i. Status of Motion for Leave To Intervene filed by Elephant Butte Irrigation District;
- j. Identification of possible additional intervenors to the case; and
- k. Preparation of Comprehensive Case Management Plan.

4. Requests for Modification or Supplementation

Any requests for modification or supplementation of this Case Management Order should be received by the Special Master on or before **Monday, December 29, 2014**.

Dated: December 19, 2014.



A. Gregory Crimsal
Special Master

Gordon, Arata, McCollam, Duplantis
& Eagan, LLC
201 St. Charles Avenue
Suite 4000
New Orleans, LA 71070-4000
Telephone: (504) 582-1111
Facsimile: (504) 582-1121

Appendix A
Distribution List for Service of Documents

In The Supreme Court of the United States, Original No. 141
STATE OF TEXAS v. STATE OF NEW MEXICO and STATE OF COLORADO

Parties¹

Texas	<p>Stuart L. Somach* Somach Simmons & Dunn, PC 500 Capitol Mall, Suite 1000 Sacramento, CA 95814</p>	<p>(916)446-7979 (916) 803-4561 (cell) ssomach@somachlaw.com</p>
New Mexico	<p>Sarah A. Bond* <i>Assistant Attorneys General</i> <i>Special Assistant Attorney General</i> State of New Mexico P.O. Drawer 1508 Sante Fe, New Mexico 87504-1508</p> <p>Hector Balderaf <i>Attorney General</i> State of New Mexico P.O. Drawer 1508 Sante Fe, New Mexico 87504-1508</p>	<p>(505) 827-6000 sbond@nmag.gov</p> <p>hbalderaf@nmag.gov</p>
Colorado	<p>Chad M. Wallace* <i>Senior Assistant Attorney General</i> Karen M. Kwon <i>First Assistant Attorney General</i> Preston V. Hartman <i>Assistant Attorney General</i> Colorado Department of Law 1300 Broadway Denver, CO 80203</p>	<p>(720) 508-6281 chad.wallace@state.co.us</p>
United States	<p>James J. Dubois* U.S. Dept. of Justice Environment & Natural Resources Division 999 18th Street South Terrace – Suite 370 Denver, CO 80202</p>	<p>(303) 844-1375 james.dubois@usdoj.gov (serve via e-mail only)</p>

¹ An asterisk by an attorney's name indicates the lead attorney for the party.

United States Cont'd	<p>Donald B. Verrilli, Jr. <i>Solicitor General</i> U.S. Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001</p> <p>Stephen M. Macfarlane U.S. Department of Justice Environment & Natural Resources Division 501 I Street, Suite 9-700 Sacramento, CA 95814</p>	<p>(202) 514-2217 supremectbriefs@usdoj.gov (serve via e-mail and hard copy)</p> <p>(916) 930-2204 SMacfarlan@ENRD.USDOJ.GOV (serve via e-mail only)</p>
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Amici (For Informational Purposes Only)

Hudspeth County Conservation and Reclamation District No. 1	<p>Andrew S. "Drew" Miller Kemp Smith LLP 816 Congress Ave., Suite 1260 Austin, Texas 78701</p>	<p>(512) 320-5466 dmiller@kempsmith.com</p>
El Paso County Water Improvement District No. 1	<p>James M. Speer, Jr.* 300 East Main Street, Suite 1032 El Paso, Texas 79901</p> <p>Maria O'Brian Sarah M. Stevenson Modrall, Sperlig, Toehl, Harris & Sisk, P.A. 500 Fourth Street N.W., Suite 1000 Albuquerque, New Mexico 87103</p>	<p>(915) 534-7393 jmspeer@htg.net</p> <p>(505) 848-1800 mobrien@modrall.com sstevenson@modrall.com</p>
City of Las Cruces	<p>Jay F. Stein* James C. Brockmann Seth R. Fullerton Stein & Brockmann, P.A. P.O. Box 2067 Santa Fe, NM 87504</p> <p>Harry S. Connelly, Jr. Marcia B. Driggers City of Las Cruces City Attorney's Office P.O. Box 2000 Las Cruces, NM 88004</p>	<p>(505) 988-3880 jfstein@newmexicowaterlaw.com</p>

City of El Paso	Douglas G. Caroom* Susan M. Maxwell Counsel of Record Bickerstaff Heath Delgado Acosta LLP 3711 S. MoPac Expressway Building One, Suite 300 Austin, Texas 78746	(512) 472-8021 dcaroom@bickerstaff.com
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Special Master

Special Master	A. Gregory Grimsal Gordon, Arata, McCollam, Duplantis & Eagan, LLC 201 St. Charles Ave., 40 th Floor New Orleans, LA 70170	(504) 582-1111 Original.141@gordonarata.com
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