

No. 141 Original

---

In The  
SUPREME COURT OF THE UNITED STATES

---

STATE OF TEXAS

v.

STATE OF NEW MEXICO and  
STATE OF COLORADO

---

TRANSCRIPT OF AUGUST 19, 2015  
STATUS CONFERENCE BEFORE  
A. GREGORY GRIMSAL, ESQ.  
SPECIAL MASTER

---

Appearances:

For the State of Texas:

Somach Simmons & Dunn, P.C.  
BY: STUART L. SOMACH, ESQ.  
ANDREW M. HITCHINGS, ESQ.  
ROBERT B. HOFFMAN, ESQ.  
FRANCIS GOLDSBERRY II, ESQ.  
500 Capitol Mall, Suite 1000  
Sacramento, California 95814

For the State of  
New Mexico:

State of New Mexico  
Office of the Attorney General  
BY: SARAH A. BOND, ESQ.  
Post Office Drawer 1508  
Sante Fe, New Mexico 87504

Appearances:

For the State of  
New Mexico:

Montgomery & Andrews, P.A.  
BY: JEFFREY J. WECHSLER, ESQ.  
325 Paseo de Peralta  
Santa Fe, New Mexico 87501

For the State of  
New Mexico:

Trout Raley Montano Witwer  
& Freeman, P.C.  
BY: LISA M. THOMPSON, ESQ.  
1120 Lincoln Street, Suite 1600  
Denver, Colorado 80203

For the State of  
New Mexico:

Draper & Draper, LLC  
BY: JOHN B. DRAPER, ESQ.  
325 Paseo de Peralto  
Santa Fe, New Mexico 87501

For the State of  
Colorado:

Colorado Department of Law  
BY: CHAD M. WALLACE, ESQ.  
1300 Broadway  
Denver, Colorado 80203

For the United States:

U.S. Department of Justice  
BY: JAMES J. DUBOIS, ESQ.  
A. LEE LEININGER, ESQ.  
999 18th Street  
South Terrace - Suite 370  
Denver, Colorado 80202

For the United States:

U.S. Department of Justice  
BY: STEPHEN M. MACFARLANE, ESQ.  
501 I Street, Suite 9-700  
Sacramento, California 95814

For the City of  
Las Cruces, New Mexico:

Stein & Brockmann, P.A.  
BY: JAY F. STEIN, ESQ.  
JAMES C. BROCKMANN, ESQ.  
Post Office Box 2067  
Santa Fe, New Mexico 87504

Appearances:

For the City of El Paso:

Bickerstaff Heath Delgado  
Acosta, LLP  
BY: DOUGLAS G. CAROOM, ESQ.  
2711 S. MoPac Expressway  
Building One, Suite 300  
Austin, Texas 78746

For El Paso County Water  
Improvement District  
No. 1:

JAMES M. SPEER JR., ESQ.  
300 East Main Street, Suite 1032  
El Paso, Texas 79901

For El Paso County Water  
Improvement District  
No. 1:

Modrall Sperling Roehl Harris  
& Sisk, P.A.  
BY: MARIA O'BRIEN, ESQ.  
Post Office Box 2168  
Albuquerque, New Mexico 87102

Official Court Reporter:

Toni Doyle Tusa, CCR, FCRR  
500 Poydras Street, Room B-275  
New Orleans, Louisiana 70130  
(504) 589-7778

Proceedings recorded by mechanical stenography using  
computer-aided transcription software.



1 The first is that with respect to your  
2 recommendation on this motion to dismiss, you had indicated  
3 that your intent was to put out a draft, allow for comments,  
4 and then revise the final recommendation. Texas would waive  
5 that first draft and would request that the Special Master just  
6 move toward the recommendation. After all, the motions have  
7 been briefed. We now have had a fairly extensive argument on  
8 those motions. If there are exceptions taken, there will be  
9 more briefing before the Supreme Court on that.

10 As a mechanism to hopefully move us toward  
11 resolution and stop both the injury as well as the harm that  
12 might befall New Mexico in terms of remediating the injury, we  
13 would request, then, that the Special Master simply draft a  
14 recommendation and have it submitted to the Court and allow the  
15 parties to, in the normal orderly way, take exception to it.

16 Second -- and I did raise this, I think, in one  
17 of our first case management conferences. I'm going to raise  
18 it here again as a request. And that is, to the extent your  
19 recommendation is to deny the motion to dismiss, we would  
20 really request that you establish a date by which New Mexico  
21 files its answer and also establish a case management  
22 conference in order for us to move forward.

23 I don't know of any rule that requires all this  
24 stuff to be done in a linear fashion. There's no reason why  
25 some of this stuff can't be done parallel. There is no

1 conceivable way any of this will happen quickly, no matter how  
2 fast we attempt to move this. I suspect the trial in this case  
3 will be lengthy. It will be complex. And then your final  
4 deliberation will be, I assume, lengthy also. Anything we can  
5 do certainly at this stage to start putting us in a position to  
6 get this case at issue we think would be beneficial not just to  
7 Texas, not just to the United States as plaintiffs; but quite  
8 frankly, if we prevail, it will be very beneficial also to  
9 defendants.

10 **THE SPECIAL MASTER:** Thank you, Mr. Somach.

11 With respect to your first suggestion, I'll take  
12 that into consideration. I'll consult with my folks, and we  
13 will figure out what we want to do about that.

14 With respect to a scheduling order and so forth,  
15 I think you will recall that in one of the very first status  
16 conferences we had, I put it to the group that it didn't make  
17 sense to me at that time for the parties to confer, to come up  
18 with a scheduling order at this procedural posture.

19 I was open then and I'm open now that if the  
20 parties want to confer and come to some sort of agreement in  
21 that regard, I'm prepared to entertain whatever agreement you  
22 are able to come up with. So I think that covers both your  
23 issues.

24 Without in any way indicating what we are going  
25 to do on the motion to dismiss, as I suggested back then -- so

1 my position is consistent today -- if the parties are  
2 interested in conferring with each other and coming up with a  
3 scheduling order, I'm fine with that. Just let me know, and  
4 I'll accommodate you and provide whatever assistance and  
5 guidance you need to do that.

6 **MR. SOMACH:** I will certainly pursue that with the  
7 other parties. I do just want to mention that once you make  
8 your recommendation, we will be in a bit of a different  
9 situation, one that is different from where we were then and,  
10 quite frankly, even where we are as we sit here today. Once  
11 you make that determination and recommendation, then I think  
12 that -- also looking at what is the next step and how quickly  
13 we can get to the next step is something that, while I can talk  
14 to the parties, I would also request that you, as the  
15 Special Master, think about moving forward with that.

16 **THE SPECIAL MASTER:** Let me confess. At some measure  
17 you have been a victim of my trial calendar. I had a one-month  
18 trial scheduled for July which settled as to one defendant on  
19 the verge of trial, and the other defendants are scheduled to  
20 go to trial in November. So I have been attempting to  
21 accommodate and move this along as quickly as I possibly could.

22 **MR. SOMACH:** I just want to say, as also a practicing  
23 lawyer, I actually was almost positive -- and I couldn't  
24 understand -- you know, I was thinking what happens if someone  
25 had asked me to become a special master. I clearly would have

12:59 1 said yes, in any case. Then I would have to figure out --

01:00 2 **THE SPECIAL MASTER:** I'm not asking for pats on the  
01:00 3 back.

01:00 4 **MR. SOMACH:** No. I would simply go: Now what am I  
01:00 5 going to do with my case load? It didn't go way just because I  
01:00 6 said yes.

01:00 7 Actually, I certainly have been -- we get that.  
01:00 8 I get that. All I'm saying, though, is that as we move forward  
01:00 9 now, it seems to me that this is an appropriate stage to start  
01:00 10 looking to see if some of the stuff could be done in a parallel  
01:00 11 fashion so we can get ourselves closer to trial in this case,  
01:00 12 with the assumption, of course, that the motions are denied.

01:00 13 **THE SPECIAL MASTER:** I express no inclination in that  
01:00 14 regard one way or the other today. If the parties wish to  
01:00 15 confer about a scheduling order or anything else, with or  
01:00 16 without my participation -- although perhaps you really ought  
01:00 17 to talk to everyone else first.

01:00 18 **MR. SOMACH:** I will do that.

01:00 19 **THE SPECIAL MASTER:** Let me know. In the meantime,  
01:00 20 we have a lot of work to do.

01:00 21 **MR. SOMACH:** Thank you.

01:01 22 **THE SPECIAL MASTER:** Is there anything else for the  
01:01 23 good of the order?

01:01 24 Yes, ma'am.

01:01 25 **MS. BOND:** Your Honor, I just wanted to state for the



01:01 1 record we support any desire to settle matters as quickly as  
01:01 2 possible. This is the first we have heard of this request by  
01:01 3 the State of Texas, so I have not had a chance to confer with  
01:01 4 clients. I am not prepared to waive the right to file  
01:01 5 exceptions.

01:01 6 **THE SPECIAL MASTER:** Believe me, I don't want to see  
01:01 7 you blindsided or ambushed here. It was I who brought the  
01:01 8 subject up at our first or second conference because I was  
01:01 9 desirous of moving the thing along. I also didn't want you to  
01:01 10 engage in anything that was futile if the motion is going to be  
01:01 11 granted. So that's how we got where we are.

01:01 12 **MS. BOND:** Thank you, sir.

01:01 13 **THE SPECIAL MASTER:** Sure.

01:01 14 Anything else for the good of the order?

01:02 15 I thank everyone. We are adjourned.

01:02 16 **THE DEPUTY CLERK:** All rise.

01:02 17 (Proceedings adjourned.)

01:02 18 \* \* \*

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**CERTIFICATE**

I, Toni Doyle Tusa, CCR, FCRR, Official Court Reporter for the United States District Court, Eastern District of Louisiana, certify that the foregoing is a true and correct transcript, to the best of my ability and understanding, from the record of proceedings in the above-entitled matter.

s/ Toni Doyle Tusa  
Toni Doyle Tusa, CCR, FCRR  
Official Court Reporter

<b>1</b>	ambushed [1] 9/7 ANDREW [1] 1/18 Andrews [1] 2/2 answer [1] 5/21 any [5] 5/23 6/1 6/24 8/1 9/1 anything [5] 6/4 8/15 8/22 9/10 9/14 Appearances [3] 1/15 2/1 3/1 appropriate [1] 8/9 are [11] argument [1] 5/7 as [16]	complex [2] 4/12 6/3 computer [1] 3/17 computer-aided [1] 3/17 conceivable [1] 6/1 confer [4] 6/17 6/20 8/15 9/3 conference [4] 1/12 4/4 5/22 9/8 conferences [2] 5/17 6/16 conferring [1] 7/2 confess [1] 7/16 consideration [1] 6/12 consistent [1] 7/1 consult [1] 6/12 continue [1] 4/10 continues [1] 4/10 correct [2] 4/19 10/4 could [2] 7/21 8/10 couldn't [1] 7/23 County [2] 3/6 3/9 course [1] 8/12 COURT [8] 1/4 3/12 4/21 5/9 5/14 10/2 10/3 10/10 covers [1] 6/22 Cruces [1] 2/22
<b>2</b>	asked [1] 7/25 asking [1] 8/2 assistance [1] 7/4 assume [1] 6/4 assumption [1] 8/12 at [8] 4/4 6/5 6/6 6/17 6/18 7/12 7/16 9/8 attempt [1] 6/2 attempting [1] 7/20 Attorney [1] 1/22 AUGUST [2] 1/11 4/2 Austin [1] 3/5	
<b>3</b>	2015 [2] 1/11 4/2 2067 [1] 2/23 2168 [1] 3/10 2711 [1] 3/4 275 [1] 3/13	
<b>5</b>	300 [2] 3/4 3/7 325 [2] 2/3 2/10 370 [1] 2/17	
<b>7</b>	<b>B</b> B-275 [1] 3/13 back [2] 6/25 8/3 be [14] because [5] 4/7 4/8 4/11 8/5 9/8 become [1] 7/25 been [6] 4/16 4/16 5/7 7/17 7/20 8/7 befall [1] 5/12 before [2] 1/12 5/9 Believe [1] 9/6 beneficial [2] 6/6 6/8 best [1] 10/5 Bickerstaff [1] 3/2 bit [1] 7/8 blindsided [1] 9/7 BOND [1] 1/22 both [2] 5/11 6/22 Box [2] 2/23 3/10 briefed [1] 5/7 briefing [1] 5/9 Broadway [1] 2/13 Brockmann [2] 2/22 2/23 brought [1] 9/7 Building [1] 3/4 but [1] 6/7	
<b>8</b>	500 [2] 1/19 3/13 501 [1] 2/20 504 [1] 3/14 589-7778 [1] 3/14	<b>D</b> damages [1] 4/20 date [1] 5/20 de [2] 2/3 2/10 defendant [1] 7/18 defendants [2] 6/9 7/19 Delgado [1] 3/2 deliberation [1] 6/4 denied [1] 8/12 Denver [3] 2/7 2/13 2/17 deny [1] 5/19 Department [3] 2/12 2/15 2/19 desire [1] 9/1 desirous [1] 9/9 determination [1] 7/11 did [2] 4/8 5/16 didn't [3] 6/16 8/5 9/9 different [2] 7/8 7/9 dismiss [3] 5/2 5/19 6/25 dismissed [1] 4/13 District [4] 3/7 3/9 10/3 10/3 do [8] 6/5 6/13 6/25 7/5 7/7 8/5 8/18 8/20 don't [2] 5/23 9/6 done [5] 4/16 4/17 5/24 5/25 8/10 DOUGLAS [1] 3/3 down [1] 4/23 Doyle [4] 3/12 10/2 10/9 10/9 draft [3] 5/3 5/5 5/13 Draper [3] 2/9 2/9 2/9 Drawer [1] 1/23 DUBOIS [1] 2/15 Dunn [1] 1/17
<b>9</b>	80202 [1] 2/17 80203 [2] 2/7 2/13 87102 [1] 3/11 87501 [2] 2/4 2/10 87504 [2] 1/23 2/24	
<b>A</b>	<b>C</b> calendar [1] 7/17 California [2] 1/20 2/20 can [5] 4/19 6/4 7/13 7/13 8/11 can't [1] 5/25 Capitol [1] 1/19 care [1] 4/22 CAROOM [1] 3/3 case [8] 4/20 5/17 5/21 6/2 6/6 8/1 8/5 8/11 CCR [3] 3/12 10/2 10/9 certainly [3] 6/5 7/6 8/7 CERTIFICATE [1] 10/1 certify [1] 10/4 CHAD [1] 2/12 chance [1] 9/3 City [2] 2/22 3/2 clearly [1] 7/25 clients [1] 9/4 closer [1] 8/11 COLORADO [6] 1/9 2/7 2/12 2/12 2/13 2/17 come [3] 6/17 6/20 6/22 coming [1] 7/2	<b>E</b> each [1] 7/2 earlier [1] 4/21 East [1] 3/7 Eastern [1] 10/3 easy [1] 4/15 El [4] 3/2 3/6 3/7 3/9 else [4] 8/15 8/17 8/22 9/14 engage [1] 9/10 entertain [1] 6/21 entitled [1] 10/6 ESQ [18] establish [2] 5/20 5/21 even [1] 7/10
<b>A</b>	ability [1] 10/5 able [1] 6/22 about [5] 4/21 4/22 6/13 7/15 8/15 above [1] 10/6 above-entitled [1] 10/6 accommodate [2] 7/4 7/21 Acosta [1] 3/3 action [1] 4/8 actions [2] 4/9 4/10 actually [2] 7/23 8/7 addition [1] 4/11 adjourned [2] 9/15 9/17 After [1] 5/6 again [1] 5/18 agreement [2] 6/20 6/21 aided [1] 3/17 Albuquerque [1] 3/11 all [5] 4/24 5/6 5/23 8/8 9/16 allow [2] 5/3 5/14 almost [1] 7/23 along [2] 7/21 9/9 also [7] 5/21 6/4 6/8 7/12 7/14 7/22 9/9 although [1] 8/16 am [2] 8/4 9/4	

<b>E</b>	8/10 8/14 9/10 ll [1] 1/19 importance [1] 4/7 important [1] 4/22 imposed [1] 4/14 Improvement [2] 3/7 3/9 in [24] inclination [1] 8/13 indicated [1] 5/2 indicating [1] 6/24 injury [4] 4/9 4/10 5/11 5/12 intent [1] 5/3 interested [1] 7/2 into [1] 6/12 is [19] issue [2] 4/6 6/6 issues [1] 6/23 it [12] it's [3] 4/7 4/18 4/25 its [1] 5/21 itself [1] 4/22	mechanism [1] 3/16 mention [1] 5/10 MEXICO [16] Mexico's [1] 4/9 might [1] 5/12 Modrall [1] 3/9 money [1] 4/23 Montano [1] 2/5 Montgomery [1] 2/2 month [1] 7/17 MoPac [1] 3/4 more [1] 5/9 motion [5] 4/12 5/2 5/19 6/25 9/10 motions [3] 5/6 5/8 8/12 move [7] 4/19 5/6 5/10 5/22 6/2 7/21 8/8 moving [2] 7/15 9/9 Mr [1] 4/3 Mr. [1] 6/10 Mr. Somach [1] 6/10 my [6] 6/12 7/1 7/17 8/5 8/16 10/5
<b>F</b>	<b>J</b>	<b>N</b>
fairly [1] 5/7 fashion [2] 5/24 8/11 fast [1] 6/2 FCRR [3] 3/12 10/2 10/9 Fe [4] 1/23 2/4 2/10 2/24 figure [2] 6/13 8/1 file [1] 9/4 filed [1] 4/8 files [1] 5/21 final [2] 5/4 6/3 fine [1] 7/3 first [8] 5/1 5/5 5/17 6/11 6/15 8/17 9/2 9/8 floor [1] 4/5 flows [1] 4/23 folks [1] 6/12 foregoing [1] 10/4 forth [1] 6/14 forward [4] 4/19 5/22 7/15 8/8 FRANCIS [1] 1/19 frankly [2] 6/8 7/10 Freeman [1] 2/6 fundamental [1] 4/7 futile [1] 9/10	JAMES [3] 2/15 2/23 3/6 JAY [1] 2/22 JEFFREY [1] 2/3 JOHN [1] 2/9 JR [1] 3/6 July [1] 7/18 just [8] 5/5 6/6 6/7 7/3 7/7 7/22 8/5 8/25 Justice [2] 2/15 2/19	Nebraska [1] 4/20 need [1] 7/5 NEW [18] New Mexico [4] 4/15 4/18 5/12 5/20 New Mexico's [1] 4/9 next [2] 7/12 7/13 no [8] 1/1 3/7 3/10 5/24 5/25 6/1 8/4 8/13 normal [1] 5/15 not [7] 4/18 4/23 6/6 6/7 8/2 9/3 9/4 note [1] 4/21 November [1] 7/20 now [4] 5/7 6/19 8/4 8/9
<b>G</b>	<b>K</b>	<b>O</b>
General [1] 1/22 get [5] 6/6 7/13 8/7 8/8 8/11 go [3] 7/20 8/4 8/5 goal [1] 4/18 going [4] 5/17 6/24 8/5 9/10 GOLDSBERRY [1] 1/19 good [2] 8/23 9/14 got [1] 9/11 granted [1] 9/11 GREGORY [1] 1/12 GRIMSAL [1] 1/12 group [1] 6/16 guidance [1] 7/5	Kansas [1] 4/20 kind [1] 4/24 know [5] 4/3 5/23 7/3 7/24 8/19	O'BRIEN [1] 3/10 obligation [1] 4/14 Office [4] 1/22 1/23 2/23 3/10 Official [3] 3/12 10/2 10/10 on [6] 5/2 5/7 5/9 6/25 7/18 8/2 once [2] 7/7 7/10 one [7] 3/4 5/16 6/15 7/9 7/17 7/18 8/14 one-month [1] 7/17 open [3] 4/5 6/19 6/19 or [5] 8/14 8/15 8/15 9/7 9/8 order [7] 5/22 6/14 6/18 7/3 8/15 8/23 9/14 orderly [1] 5/15 Original [1] 1/1 Orleans [1] 3/13 other [4] 7/2 7/7 7/19 8/14 ought [1] 8/16 our [2] 5/17 9/8 ourselves [1] 8/11 out [3] 5/3 6/13 8/1 over [1] 4/17
<b>H</b>	<b>L</b>	<b>P</b>
had [6] 5/2 5/7 6/16 7/17 7/25 9/3 happen [1] 6/1 happens [1] 7/24 harm [2] 4/16 5/11 Harris [1] 3/9 has [3] 4/16 4/16 4/25 have [14] he [1] 4/3 heard [1] 9/2 Heath [1] 3/2 here [3] 5/18 7/10 9/7 HITCHINGS [1] 1/18 HOFFMAN [1] 1/18 Honor [1] 8/25 hopefully [1] 5/10 how [3] 6/1 7/12 9/11	Las [1] 2/22 Law [1] 2/12 lawyer [1] 7/23 LEE [1] 2/16 LEININGER [1] 2/16 lengthy [2] 6/3 6/4 let [3] 7/3 7/16 8/19 like [1] 4/4 Lincoln [1] 2/7 linear [1] 5/24 LISA [1] 2/6 litigation [1] 4/13 LLC [1] 2/9 LLP [1] 3/3 load [1] 8/5 long [2] 4/15 4/17 looking [2] 7/12 8/10 lot [1] 8/20 Louisiana [2] 3/13 10/4	P.A [3] 2/2 2/22 3/9 P.C [2] 1/17 2/6 parallel [2] 5/25 8/10 part [1] 4/25 participation [1] 8/16 parties [7] 5/15 6/17 6/20 7/1 7/7 7/14 8/14 Paseo [2] 2/3 2/10 Paso [4] 3/2 3/6 3/7 3/9 pats [1] 8/2 Peralta [1] 2/3 Peralto [1] 2/10
<b>I</b>	<b>M</b>	
l'll [3] 6/11 6/12 7/4 I'm [6] 5/17 6/19 6/21 7/3 8/2 8/8 if [10] 4/12 4/12 5/8 6/8 6/19 7/1 7/24	ma'am [1] 8/24 MACFARLANE [1] 2/19 Main [1] 3/7 make [3] 6/16 7/7 7/11 Mall [1] 1/19 management [2] 5/17 5/21 MARIA [1] 3/10 master [5] 1/13 5/5 5/13 7/15 7/25 material [1] 4/9 matter [2] 6/1 10/6 matters [1] 9/1 me [7] 6/17 7/3 7/16 7/25 8/9 8/19 9/6 meantime [1] 8/19 measure [1] 7/16	

<b>P</b>	<p>perhaps [1] 8/16  plaintiffs [1] 6/7  pled [1] 4/20  point [1] 4/4  position [2] 6/5 7/1  positive [1] 7/23  possible [1] 9/2  possibly [1] 7/21  Post [3] 1/23 2/23 3/10  posture [1] 6/18  Poydras [1] 3/13  practicing [1] 7/22  predicate [1] 4/24  prepared [2] 6/21 9/4  prevail [1] 6/8  procedural [1] 6/18  proceedings [4] 3/16 4/1 9/17 10/6  provide [1] 7/4  punish [1] 4/18  pursue [1] 7/6  put [2] 5/3 6/16  putting [1] 6/5</p>	<p>settle [1] 9/1  settled [1] 7/18  Simmons [1] 1/17  simply [2] 5/13 8/4  sir [1] 9/12  Sisk [1] 3/9  sit [1] 7/10  situation [2] 4/19 7/9  so [8] 4/19 6/14 6/22 6/25 7/20 8/11 9/3 9/11  software [1] 3/17  Somach [4] 1/17 1/17 4/3 6/10  some [4] 5/25 6/20 7/16 8/10  someone [1] 7/24  something [1] 7/13  sort [1] 6/20  South [1] 2/17  special [5] 1/13 5/5 5/13 7/15 7/25  special master [4] 5/5 5/13 7/15 7/25  SPEER [1] 3/6  Sperling [1] 3/9  stage [2] 6/5 8/9  start [2] 6/5 8/9  state [12]  STATES [5] 1/4 2/15 2/19 6/7 10/3  status [3] 1/12 4/4 6/15  Stein [2] 2/22 2/22  stenography [1] 3/16  step [2] 7/12 7/13  STEPHEN [1] 2/19  stop [1] 5/11  Street [5] 2/7 2/16 2/20 3/7 3/13  STUART [1] 1/17  stuff [3] 5/24 5/25 8/10  subject [1] 9/8  submitted [1] 5/14  successful [2] 4/12 4/13  suffering [1] 4/8  suggested [2] 4/3 6/25  suggestion [1] 6/11  Suite [6] 1/19 2/7 2/17 2/20 3/4 3/7  support [1] 9/1  SUPREME [2] 1/4 5/9  Sure [1] 9/13  suspect [1] 6/2  system [1] 4/12</p>	<p>today [3] 7/1 7/10 8/14  Toni [4] 3/12 10/2 10/9 10/9  toward [2] 5/6 5/10  transcript [2] 1/11 10/5  transcription [1] 3/17  trial [6] 6/2 7/17 7/18 7/19 7/20 8/11  Trout [1] 2/5  true [1] 10/4  Tusa [4] 3/12 10/2 10/9 10/9  two [1] 4/25  two-part [1] 4/25</p>
<b>Q</b>	<p>quickly [4] 6/1 7/12 7/21 9/1  quite [2] 6/7 7/10</p>		<b>U</b>
<b>R</b>	<p>raise [3] 4/6 5/16 5/17  Raley [1] 2/5  real [1] 4/8  really [3] 4/25 5/20 8/16  reason [1] 5/24  recall [1] 6/15  recommendation [7] 5/2 5/4 5/6 5/14 5/19 7/8 7/11  record [2] 9/1 10/6  recorded [1] 3/16  regard [2] 6/21 8/14  remediate [1] 4/16  remediating [1] 5/12  remediation [1] 4/14  Reporter [3] 3/12 10/3 10/10  request [8] 4/24 4/25 5/5 5/13 5/18 5/20 7/14 9/2  requires [1] 5/23  resolution [1] 5/11  respect [3] 5/1 6/11 6/14  revise [1] 5/4  right [1] 9/4  rise [1] 9/16  rivers [1] 4/23  ROBERT [1] 1/18  Roehl [1] 3/9  Room [1] 3/13  rule [1] 5/23</p>	<p>stop [1] 5/11  Street [5] 2/7 2/16 2/20 3/7 3/13  STUART [1] 1/17  stuff [3] 5/24 5/25 8/10  subject [1] 9/8  submitted [1] 5/14  successful [2] 4/12 4/13  suffering [1] 4/8  suggested [2] 4/3 6/25  suggestion [1] 6/11  Suite [6] 1/19 2/7 2/17 2/20 3/4 3/7  support [1] 9/1  SUPREME [2] 1/4 5/9  Sure [1] 9/13  suspect [1] 6/2  system [1] 4/12</p>	<p>U.S [2] 2/15 2/19  understand [1] 7/24  understanding [1] 10/5  Unfortunately [1] 4/9  UNITED [5] 1/4 2/15 2/19 6/7 10/3  United States [1] 6/7  up [4] 6/17 6/22 7/2 9/8  upon [1] 4/14  us [3] 5/10 5/22 6/5  using [1] 3/16</p>
<b>S</b>	<p>Sacramento [2] 1/20 2/20  said [3] 4/22 8/1 8/6  Santa [3] 2/4 2/10 2/24  Sante [1] 1/23  SARAH [1] 1/22  say [1] 7/22  saying [1] 8/8  scheduled [2] 7/18 7/19  scheduling [4] 6/14 6/18 7/3 8/15  second [2] 5/16 9/8  see [2] 8/10 9/6  seems [1] 8/9  sense [1] 6/17</p>	<p>take [3] 4/15 5/15 6/11  taken [1] 5/8  talk [2] 7/13 8/17  talked [1] 4/21  terms [1] 5/12  Terrace [1] 2/17  TEXAS [9] 1/6 1/17 3/5 3/7 4/8 4/25 5/4 6/7 9/3  Texas' [1] 4/18  thank [5] 4/6 6/10 8/21 9/12 9/15  that [44]  that's [2] 4/24 9/11  then [9] 4/13 5/4 5/13 6/3 6/19 6/25 7/9 7/11 8/1  there [6] 4/13 4/22 5/8 5/8 5/25 8/22  There's [1] 5/24  thing [1] 9/9  think [7] 4/7 5/16 6/6 6/15 6/22 7/11 7/15  thinking [1] 7/24  this [19]  THOMPSON [1] 2/6  those [2] 4/10 5/8  though [1] 8/8  time [3] 4/16 4/17 6/17</p>	<p>verge [1] 7/19  very [6] 4/15 4/17 4/17 4/17 6/8 6/15  victim [1] 7/17</p>
			<b>V</b>
			<b>W</b>
			<p>waive [2] 5/4 9/4  WALLACE [1] 2/12  want [6] 6/13 6/20 7/7 7/22 9/6 9/9  wanted [2] 4/6 8/25  was [9] 4/8 4/20 5/3 6/19 7/23 7/24 9/7 9/8 9/10  water [3] 3/6 3/9 4/23  way [6] 4/11 5/15 6/1 6/24 8/5 8/14  we [33]  WECHSLER [1] 2/3  well [1] 5/11  were [1] 7/9  what [8] 4/16 4/22 4/22 6/13 6/24 7/12 7/24 8/4  whatever [2] 6/21 7/4  when [1] 4/8  where [3] 7/9 7/10 9/11  which [3] 4/21 5/20 7/18  while [2] 4/19 7/13  who [1] 9/7  why [1] 5/24  will [13]  wish [1] 8/14  without [2] 6/24 8/16  Witwer [1] 2/5  won't [1] 4/15  work [1] 8/20  works [1] 4/12  would [11]</p>
			<b>Y</b>
			<p>yes [3] 8/1 8/6 8/24  you [19]  your [8] 5/1 5/3 5/18 6/3 6/11 6/22 7/8 8/25  Your Honor [1] 8/25</p>