

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

ORDER AND AMENDMENT TO TRIAL MANAGEMENT SCHEDULE

May 5, 2020

ORDER AND AMENDMENT TO TRIAL MANAGEMENT SCHEDULE

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

Attached as Exhibit A is an Amended Trial Management Schedule in this case. Given the amount of discovery left to be accomplished, I set the completion of discovery for August 31, 2020. That will not leave a lot of time between the end of discovery and filing of dispositive motions. However, I assume the parties can begin working on dispositive motions well in advance of the completion of discovery.

As indicated in our telephone conference on May 1, 2020, it is my intent to hold a videoconference (if possible) on:

May 15, 2020, at 2:00 p.m. Central Daylight Time

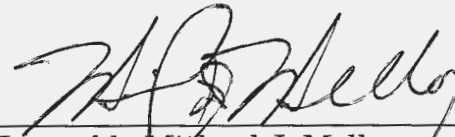
(Please note that this time is different than indicated at the May 1, 2020, hearing)

Pursuant to our discussions, it is my understanding that Mr. Somach's firm is exploring the various options for videoconferencing and video depositions. Hopefully, the parties can come to an agreement as to the service to be used. In any event, I would request Mr. Somach's firm to file a report with the Court by the close of business on Friday, May 8, 2020, as to the status of their investigation and the discussions concerning the service to be used. It is my intent that we would use that service as a "trial run" for the May 15 hearing.

Items to be discussed at the May 15 hearing include the following:

1. The current status of discovery, use of video depositions and persons to be deposed.
2. Whether it would be appropriate to establish a deadline for submission of expert report supplementation.
3. Continued discussion concerning mediation and appointment of a mediator.
4. Continued discussion on trial phasing and management.

Dated: May 5, 2020

A handwritten signature in black ink, appearing to read "M. J. Melloy", written over a horizontal line.

Honorable Michael J. Melloy
Special Master
United States Circuit Judge
111 Seventh Avenue, S.E., Box 22
Cedar Rapids, IA 52401
Telephone: 319-423-6080
Facsimile: 319-423-6085

EXHIBIT A
Texas v. State of New Mexico and State of Colorado, No. 141, Original
Amended Trial Management Schedule
May 5, 2020

<u>DEADLINE</u>	<u>EVENTS</u>
May 18, 2020	Lift stay on deposition discovery
June 15, 2020	Disclosure of defendants' rebuttal expert reports
August 31, 2020	Deadline for completion of discovery
October 1, 2020	Disclosure of preliminary witness list
October 15, 2020	Deadline for filing dispositive motions
December 1, 2020	Opposition to dispositive motions
December 21, 2020	Replies in support of dispositive motions
January 2021	Hearing on dispositive motions
March 15, 2021	Motions in limine, final pretrial conference statements, including witness and exhibit lists
April 2021	Final pretrial conference
May/June 2021	Trial commences