

No. 141, Original

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In the  
SUPREME COURT OF THE UNITED STATES

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STATE OF TEXAS,

Plaintiff,

v.

STATE OF NEW MEXICO and  
STATE OF COLORADO,

Defendants.

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OFFICE OF THE SPECIAL MASTER

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ORDER

June 3, 2020

## ORDER

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

A telephonic status conference was held on Friday, May 29, 2020. It is ordered that a further status conference will be held on Friday, June 12, 2020, at 11:00 a.m. Central Daylight Time, to be set up by the parties and Worldwide Court Reporters.

It is further ordered that pursuant to discussion with counsel the following procedure will be utilized in connection with the selection of a mediator in this case.

- The Parties share names of potential mediators;
- The Parties confer;
- If agreement is reached, the Parties shall jointly contact the undersigned to determine the best method to contact the mediator and determine his or her availability;
- If no agreement is reached, the Parties each submit two options to the Special Master;
- The Special Master selects the mediator(s).

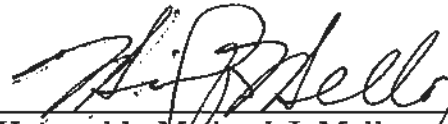
It is anticipated that this process can be completed by no later than the hearing scheduled for June 12, 2020, at which time the undersigned will discuss with the parties either the person who has been agreed upon as a mediator or the list of candidates from whom the undersigned will make a selection.

The undersigned is making no determination at this time as to the timing of mediation. It is unlikely that mediation can meaningfully commence before the close of discovery at the end of the summer. However, the undersigned anticipates that further scheduling of the mediation will be left to the discretion of the mediator.

It is further ordered that each party who has selected an expert witness and filed an expert witness designation shall file those designations with the Court by no later than Wednesday, June 10, 2020. At the current time it is anticipated that the designations will not be filed under seal. To the extent that any party believes

there is confidential information in a designation that requires sealing, they shall file a separate motion to that effect.

Dated: June 3, 2020



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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