

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,

UNITED STATES OF AMERICA,

Intervenor.

---

OFFICE OF THE SPECIAL MASTER

---

ORDER

August 19, 2021

## ORDER

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

A status conference in this case was held on August 17, 2021. As a result of the discussions at that conference, the following Order is entered.

1. Site visit.

The site visit originally scheduled for **August 23 and 24, 2021**, will go forward as scheduled, subject to the discussions during the conference on COVID precautions. The flyover portion of the visit has been canceled but will be replaced by a drone video of the project area. The parties are reminded that it is acceptable and encouraged to wear casual clothing during the tour.

2. Motion to continue.

Texas has indicated it will be filing a motion to continue by the close of business on **Thursday, August 19, 2021**. New Mexico and any other interested party shall file its response to the motion by no later than the close of business on **Thursday, August 26, 2021**. The motion to continue will be taken up as the first item of business at the final pretrial conference which will be held on August 27.

3. Final pretrial conference.

The final pretrial conference will be held by Zoom teleconference on **August 27, 2021, at 11:00 a.m. Central Daylight Time**, to be set up by the parties and Worldwide Court Reporters.

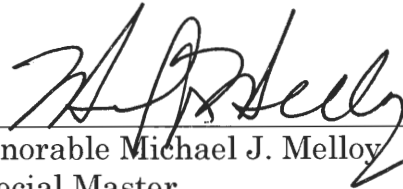
In connection with the final pretrial conference, the deadline for filing the exhibit lists, stipulation of facts, witness lists, and any pretrial conference statements is extended to **August 25, 2021**.

Any party who wishes to have an item included on the agenda for the final pretrial conference shall advise the undersigned and all parties on the Service List of those proposed agenda items by no later than the close of business on **August 26, 2021**.

4. Access to video feed.

As part of the discussion regarding COVID concerns surrounding the in-person trial, a request was made to consider allowing certain parties access to the video feed (beyond the attorneys of record). I indicated I would be willing to consider that but would request the parties to make a filing as to exactly who would be requesting access and their interest in the case.

Dated: August 19, 2021



---

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