



U.S. Department of Justice

Environment and Natural Resources Division

MTG
90-1-2-14114

*Appellate Section
701 San Marco Blvd.
Jacksonville, FL 32207*

*Telephone (202) 352-3147
Facsimile (202) 514-0557*

April 22, 2015

BY EMAIL AND U.S. MAIL

Ralph I. Lancaster, Jr.
Pierce Atwood
Merrill's Wharf
254 Commercial Street
Portland, ME 04101

Re: June 2, 2015, Hearing on Motion to Dismiss

Dear Special Master Lancaster:

The United States has received notice that a hearing on the State of Georgia's motion to dismiss for failure to join the United States as a party has been set for June 2, 2015, in Washington, D.C., with each party provided one hour to present argument. As you are aware, the United States filed a brief as amicus curiae in opposition to that motion. The United States respectfully requests that it be permitted to appear and present argument as amicus curiae at the hearing on Georgia's motion to dismiss. We have conferred with the State of Florida, and it has agreed that the United States may use 20 minutes of Florida's allocated time to present argument as amicus curiae. We have also conferred with the State of Georgia, and Georgia does not oppose this request.

We also reviewed the transcript of the last status conference, and note that at the beginning of conference you asked whether a representative for the United States was present. As you are aware, we have asked in our Statement of Participation to be allowed to attend status conferences, but that request remains pending, and the Case Management Plan provides that "[o]nly parties may participate in status conferences and other case proceedings." We apologize for any misunderstanding about our attendance at that conference, and reiterate our request that the Case Management Plan be amended to allow the United States to attend status conferences.

Very truly yours,

s/Michael T. Gray

In The
Supreme Court of the United States

STATE OF FLORIDA,
Plaintiff

v.

STATE OF GEORGIA
Defendant

Before the Special Master

Hon. Ralph I. Lancaster

CERTIFICATE OF SERVICE

This is to certify that the foregoing letter from Michael T. Gray on behalf of the United States to Special Master Lancaster has been served this 22d day of April, 2015, in the manner specified below:

For State of Florida	For State of Georgia
<p><u>By U.S. Mail and Email:</u> Allen Winsor Solicitor General <i>Counsel of Record</i> Office of Florida Attorney General The Capital, PL-01 Tallahassee, FL 32399 T: 850-414-3300 allen.winsor@myfloridalegal.com</p> <p>By Email Only: Donald G. Blankenau Jonathan A. Glogau Christopher M. Kise Matthew Z. Leopold Osvaldo Vazquez Thomas R. Wilmoth floridawaterteam@foley.com</p>	<p><u>By U.S. Mail and Email:</u> Craig S. Primis, P.C. <i>Counsel of Record</i> Kirkland & Ellis, LLP 655 15th St., NW Washington, D.C. 20005 Craig.primis@kirkland.com</p> <p><u>By Email Only:</u> Samuel S. Olens Nels Peterson Britt Grant Seth P. Waxman K. Winn Allen Sarah H. Warren georgiawaterteam@kirkland.com</p>

s/Michael T. Gray
MICHAEL T. GRAY,
United States Department of Justice
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Jacksonville, FL 32207