

SUPREME COURT OF THE UNITED STATES  
No. 142, Original

STATE OF FLORIDA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 STATE OF GEORGIA, )  
 )  
 Defendants. )

TELEPHONE CONFERENCE before SPECIAL MASTER  
RALPH I. LANCASTER, held at the law offices of Pierce  
Atwood, LLP, at Merrill's Wharf, 254 Commercial Street,  
Portland, Maine, on June 9, 2015, commencing at  
10:00 a.m., before Claudette G. Mason, RMR, CRR, a  
Notary Public in and for the State of Maine.

APPEARANCES:  
For the State of Florida: ALLEN C. WINSOR, ESQ.  
OSVALDO VAZQUEZ, ESQ.  
CHRISTOPHER M. KISE, ESQ.  
PHILIP J. PERRY, ESQ.  
For the State of Georgia: CRAIG S. PRIMIS, P.C.  
BRITT GRANT, ESQ.  
SARAH HAWKINS WARREN, ESQ.  
K. WINN ALLEN, ESQ.  
For the U.S.A.: MICHAEL T. GRAY, ESQ.  
Also Present: JOSHUA D. DUNLAP, ESQ.

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1 Georgia. And calling remotely, I believe,  
2 also are Craig Primis, Sarah Warren, and Winn  
3 Allen from Kirkland & Ellis.  
4 SPECIAL MASTER LANCASTER: Thank you,  
5 Georgia.  
6 The United States?  
7 MR. GRAY: Yes. Good morning, your  
8 Honor. This is Michael Gray for the United  
9 States.  
10 SPECIAL MASTER LANCASTER: Is there  
11 anyone else who hasn't responded to my  
12 request for entrance of appearances who is on  
13 the call?  
14 Hearing none, I will assume none.  
15 Is there anything that you want to add  
16 to the status reports, Florida?  
17 MR. WINSOR: This is Allen Winsor.  
18 No, sir.  
19 SPECIAL MASTER LANCASTER: Georgia?  
20 MR. PRIMIS: No, Special Master.  
21 SPECIAL MASTER LANCASTER: I think this  
22 should be a relatively brief meeting. We saw  
23 each other recently, and I then complimented  
24 and congratulated you on the briefs. Let me  
25 now compliment you on the cooperation and the  
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1  
2 PROCEEDINGS  
3 SPECIAL MASTER LANCASTER: Good morning,  
4 counsel.  
5 MR. WINSOR: Good morning.  
6 MR. PRIMIS: Good morning.  
7 MS. GRANT: Good morning.  
8 SPECIAL MASTER LANCASTER: I have Josh  
9 and Claudette with me. You should have  
10 received her transcript yesterday.  
11 Let me ask if you could enter  
12 appearances, please. First, for Florida.  
13 MR. WINSOR: Good morning, Special  
14 Master. This is Allen Winsor along with  
15 Os Vazquez for Florida. And joining on the  
16 line remotely, I believe, are Mr. Kise and  
17 Mr. Perry from our outside counsel team.  
18 SPECIAL MASTER LANCASTER: Thank you.  
19 MR. KISE: Good morning, your Honor.  
20 MR. PERRY: Yes, good morning, your  
21 Honor.  
22 SPECIAL MASTER LANCASTER: Thank you.  
23 Georgia?  
24 MS. GRANT: Good morning, your Honor.  
25 This is Britt Grant from the State of  
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1 progress you're making on discovery. I'm  
2 pleased to see that the parties are  
3 continuing to work together to resolve the  
4 issues.  
5 I just want to remind you that the  
6 parties are expected to complete discovery  
7 within the recently extended time frame with  
8 no further extensions.  
9 Do you expect any difficulties regarding  
10 the timelines of responses by third parties,  
11 Florida?  
12 MR. WINSOR: Your Honor, not at this  
13 time. I think that we're getting  
14 satisfactory responses on the whole from the  
15 third parties.  
16 SPECIAL MASTER LANCASTER: Georgia?  
17 MR. PRIMIS: Third party discovery --  
18 this is Craig Primis.  
19 Third party discovery is moving along  
20 well, and we're making good progress. There  
21 are substantial amounts of information that  
22 we're working in good faith with the United  
23 States to produce, but they have multiple  
24 agencies and a lot of information. And so  
25 I'm not saying that we don't expect it to be  
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1 complete, but I just raise as a potential  
 2 issue the timing and the volume of  
 3 information from the United States.  
 4 SPECIAL MASTER LANCASTER: Well, the  
 5 volume of the information certainly is huge.  
 6 I couldn't help noting that there are a total  
 7 of 100 contract lawyers, 60 in one case and  
 8 40 in another, which tell me that you're  
 9 going to have an enormous volume of documents  
 10 when you're finished. I hope -- I hope, but  
 11 I am not very confident, that that volume  
 12 will not be all introduced into evidence; but  
 13 we'll see.  
 14 So now, again, keeping in mind that the  
 15 transcript will be on my docket, I'm going to  
 16 ask if you're continuing to talk about  
 17 settlement, but no details, please. Florida?  
 18 MR. PRIMIS: Yes, your Honor. Not a lot  
 19 I can tell you other than we are certainly  
 20 aware of the Court's admonition to proceed  
 21 with settlement, and talks are continuing.  
 22 SPECIAL MASTER LANCASTER: Georgia?  
 23 MS. GRANT: Yes, your Honor. This is  
 24 Georgia's perspective as well.  
 25 This is Britt Grant.  
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1 And we're also aware of the Special  
 2 Master's desire for settlement and are  
 3 continuing to talk.  
 4 SPECIAL MASTER LANCASTER: One final  
 5 thing from me. I assume that you got the  
 6 Supreme Court's Order approving my request  
 7 for fees, which was mailed on May 18.  
 8 Florida?  
 9 MR. WINSOR: Yes, your Honor. We're  
 10 making arrangements to satisfy that.  
 11 SPECIAL MASTER LANCASTER: Georgia?  
 12 MS. GRANT: Yes, your Honor. We're also  
 13 making arrangements to satisfy that.  
 14 SPECIAL MASTER LANCASTER: Well, I'm  
 15 just reminding you because while other  
 16 Special Masters require an escrow  
 17 arrangement, I have not done that in the  
 18 past; and I do not intend to do it here. But  
 19 I do expect reasonably prompt payment.  
 20 MR. WINSOR: Yes, sir.  
 21 MS. GRANT: Yes, your Honor.  
 22 SPECIAL MASTER LANCASTER: I predicted  
 23 that this wouldn't take very long, and it  
 24 hasn't. I thought at one point of canceling  
 25 it, but I thought we ought to continue on  
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1 schedule as usual.  
 2 Is there anything else from Florida?  
 3 MR. WINSOR: No, sir.  
 4 SPECIAL MASTER LANCASTER: From Georgia?  
 5 MR. PRIMIS: No, sir.  
 6 MS. GRANT: No, sir, nothing from  
 7 Georgia.  
 8 SPECIAL MASTER LANCASTER: From the  
 9 United States?  
 10 MR. GRAY: Briefly, if I may, I would  
 11 like to address just the third-party requests  
 12 to the United States, since you asked about  
 13 those. And we do think that for at least  
 14 some of the agencies, we are going to need  
 15 more than the 120 days. I have asked for  
 16 updates from all the agencies. And the  
 17 Department of Commerce, it sounds like, is  
 18 very close to completing everything it needs  
 19 to and expects at this point to meet and  
 20 produce everything within 120 days. But  
 21 the other agencies, given the amount of  
 22 documents and the resources required and the  
 23 scope of the request expect that they're  
 24 going to need some more time for various  
 25 issues, particularly issues related to the --  
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1 some predecisional documents that may become  
 2 final and releasable after that 120 days.  
 3 Older data they think is going to take a  
 4 little bit longer to produce. So I do think  
 5 it would be helpful for us to have an  
 6 extension of that 120 days.  
 7 SPECIAL MASTER LANCASTER: Well, I'm  
 8 sure it would be helpful for you; but I will  
 9 tell you that at the moment, I'm not inclined  
 10 to grant it. If you want to make a motion,  
 11 I'll entertain it; but we're well beyond the  
 12 original schedule. And I -- you can use that  
 13 as a hammer, if you want to, with the  
 14 agencies. But the sooner we can get this  
 15 material in your hand -- in the hands of the  
 16 people who are looking for it, the sooner  
 17 they can make decisions on what is relevant  
 18 and important for my decision and the Court's  
 19 decision ultimately. And I am reluctant to  
 20 grant any further extensions.  
 21 You can tell them that. Then we'll see  
 22 where we go from there.  
 23 MR. GRAY: I understand. And we -- I  
 24 think the current 120 days expires July 10.  
 25 And I will circle back with the agencies and  
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1 then see whether we need to put together a  
2 motion for you. I expect that we will for at  
3 least some of the agencies.

4 But I appreciate the hammer you have  
5 given me which I can use a little bit.

6 SPECIAL MASTER LANCASTER: You can tell  
7 them that the grumpy grouch is not inclined  
8 to give anyone extensions at this point.

9 Is there anything further from Florida?

10 MR. WINSOR: No, sir.

11 SPECIAL MASTER LANCASTER: Anything  
12 further from Georgia?

13 MS. GRANT: No, your Honor, nothing further.

14 SPECIAL MASTER LANCASTER: Well, thank  
15 you again. I'm sorry to burden you with this  
16 very brief and perhaps not awe-inspiring  
17 conference, but I thought it better to keep  
18 the schedule than to cancel it.

19 So we look forward to the next one.

20 MR. WINSOR: Yes, sir. Thank you.

21 MR. PRIMIS: Thank you.

22 MS. GRANT: Thank you, sir.

23 SPECIAL MASTER LANCASTER: Thank you.

24 (The telephone conference was concluded  
25 at 10:09 a.m.)

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1 CERTIFICATE

2 I, Claudette G. Mason, a Notary Public  
3 in and for the State of Maine, hereby certify  
4 that the foregoing 10 pages are a correct  
5 transcript of my stenographic notes of the  
6 above-captioned proceedings.

7 I further certify that I am a  
8 disinterested person in the event or outcome  
9 of the above-named cause of action.

10 IN WITNESS WHEREOF, I subscribe my hand  
11 this 15th day of June, 2015.

12

13

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\_\_\_\_\_  
Notary Public

16

17

18 My Commission Expires

19 June 9, 2019.

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|---|--|--|---|---|
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