

**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

**STATUS REPORT OF THE STATE OF GEORGIA
APRIL 1, 2016**

This report constitutes the fifteenth monthly status report filed by the State of Georgia pursuant to Section 4 of the Case Management Plan.

I. GENERAL STATUS

Georgia has continued to devote substantial resources to reviewing Florida's expert reports and supporting materials and to preparing its own defensive expert reports. The parties are also cooperating to schedule depositions of the currently-disclosed experts. Georgia has noticed all of Florida's experts for deposition and is conferring with Florida to schedule those depositions. To facilitate deposition scheduling, Georgia has asked Florida to provide information on which of its experts will be submitting additional defensive expert reports so that parties can more efficiently schedule depositions for April and May.

II. MEDIATION

In compliance with the Special Master's order at the last status conference, Georgia has also advanced the parties' mediation efforts. The parties submitted 25-page confidential mediation briefs, which served to crystallize the parties' disagreements and focus settlement discussions. Georgia has held numerous phone calls with the mediator to develop potential ways for reaching a negotiated resolution of this matter. In addition, Georgia and Florida participated in an 8-hour, in-person mediation session, in which Georgia constructively explored ways in which the parties could reach a settlement. Senior Georgia officials, including officials from the Governor's office, the Attorney General's office, and Georgia's Environmental Protection Division, have participated in each of the phone calls and were present at the mediation. A second in-person mediation session is scheduled for April. In advance of that session, Georgia officials will continue to devote time and resources to developing and considering specific solutions that might allow the parties to resolve their dispute. If the Special Master would like additional information about the parties' mediation efforts, Georgia would be happy to provide that information via a confidential, non-public phone call.

III. EXPERT DISCOVERY

In the process of reviewing Florida's reports and supporting data, Georgia's experts have experienced setbacks with reconstructing certain of Florida's model runs because of errors or missing data in the computer code that Florida initially provided. Georgia has worked with Florida to resolve these issues, and Florida has produced some additional information in response to Georgia's requests. However, Georgia has had to expend a significant amount of time and effort to develop modifications and workarounds to Florida's computer code in order to get the code to function properly. Georgia hopes that it will not experience further issues that impact its ability to review Florida's expert materials and to prepare its responses.

Georgia is also continuing the process of preparing defensive expert reports, which will be served on May 20, 2016 under the new deadline set by the Special Master. *See* Case Management Order No. 17.

Finally, the parties are working together to schedule expert depositions. Georgia anticipates taking and defending more than 30 expert depositions, and is moving forward with scheduling those depositions for April, May, and June. Given the large number of depositions, the need for coordination is important. Georgia has reached out to Florida to try to coordinate the scheduling of expert depositions to minimize the need to call back experts for depositions a second time where they have submitted multiple reports. Georgia has provided that information to Florida for Dr. Bedient and has requested that Florida similarly disclose which of its experts will also be submitting defensive reports so that Georgia can schedule depositions in a way that maximizes productivity and efficiency for both parties.

Dated: April 1, 2016

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CERTIFICATE OF SERVICE

This is to certify that the APRIL 1, 2016 STATUS REPORT OF THE STATE OF GEORGIA has been served on this 1st day of April 2016, in the manner specified below:

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