

No. 142, Original

**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

**STATE OF FLORIDA'S MOTION TO WITHHOLD INFORMATION IN TRIAL
EXHIBIT FROM THE PUBLIC RECORD**

Pursuant to Section 10 of the Case Management Plan, Section 2.3 of Case Management Order 20, the State of Florida moves to use a redacted copy of one trial exhibit, Tentative Florida Exhibit 435, in order to keep certain identifying information (individual names and dates of birth) out of the public record.¹

Tentative Florida Exhibit 435, a large Excel workbook maintained by the Florida Department of Agriculture & Consumer Services. The spreadsheet identifies individuals who

¹ Counsel for Florida and Georgia have agreed to the redaction of the following information: (1) Social Security numbers; (2) names of minor children; (3) dates of birth; (4) financial account numbers; (5) home addresses; (6) home telephone numbers; (7) cell phone numbers; and (8) personal email addresses. The parties also agreed that Georgia may redact names of individual agricultural water permit holders if other information, including permit number, is not redacted.

received of warnings and citations for various statutory and regulatory infractions potentially relevant to this litigation. The spreadsheet also includes information on those statutes and regulations, ticket numbers, addresses, dates, locations, and descriptions of conduct.

Florida only intends to redact names and dates of birth to protect against disclosure of personal details not relevant to the issues before the Court. Florida does not intend to redact the balance of the information in the spreadsheet. Florida has informed Georgia of its intent to offer this exhibit in redacted form, and Georgia has indicated that it does not object to the proposed redactions.

Recognizing that Section 2.3 of Case Management Order No. 19 requires *in camera* submission of proposed confidential exhibits, Florida can certainly submit an unredacted copy of the spreadsheet upon request and under seal. Florida has not submitted the spreadsheet *in camera* in order to avoid burdening the Court with voluminous materials.

Florida respectfully requests that the Special Master grant it permission to use a redacted version (as described above) of Tentative Florida Exhibit 435 at trial.

[SIGNATURE PAGE FOLLOWS]

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CERTIFICATE OF SERVICE

This is to certify that the STATE OF FLORIDA'S MOTION TO WITHHOLD INFORMATION IN TRIAL EXHIBIT FROM THE PUBLIC RECORD has been served on this 16th day of September 2016, in the manner specified below:

<u>For State of Florida</u>	<u>For United States of America</u>
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