

No. 142, Original

**In the
SUPREME COURT OF THE UNITED STATES**

STATE OF FLORIDA,

Plaintiff

v.

STATE OF GEORGIA,

Defendant

OFFICE OF THE SPECIAL MASTER

CASE MANAGEMENT ORDER NO. 7

April 8, 2015

CASE MANAGEMENT ORDER NO. 7

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

1. **Amendment of Case Management Plan Section 6.1.**

In response to the parties' requests for an extension of time for production of documents and completion of written discovery, and in light of the scope and volume of discovery in this proceeding as well as the parties' discovery efforts, Section 6.1 of the Case Management Plan ("CMP") as subsequently modified is hereby further modified as follows. The parties should expect that further enlargement of the written discovery period will be strongly disfavored.

6.1 Written Discovery

All written discovery may be initiated beginning on January 12, 2015, and shall be completed by no later than November 10, 2015.

6.1.1 Interrogatories

Each party may serve not more than fifty (50) interrogatories, including discrete subparts, on the other party. Without prior written approval of the Special Master, no additional interrogatories may be served. Each party served with interrogatories shall have thirty (30) days from the date of service to serve objections and forty-five (45) days from the date of service to serve answers.

6.1.2 Requests For Production Of Documents/Inspections To Parties

Each party may serve requests for production of documents/inspections on the other party. A party upon which requests for production of documents/inspections are served shall have twenty (20) days from the date of service to serve objections other than objections based on privilege, work product

or confidentiality, thirty (30) days from the date of service within which to make remaining objections and to begin producing documents, and two hundred forty (240) days from the date of service within which to complete full production subject to unresolved objections. If either party anticipates that full production will unavoidably require more than two hundred forty (240) days from service, that party shall notify the Special Master within ten (10) days of service of the requests, and a telephone conference will be convened to discuss the issue.

6.1.3 Requests For Documents/Inspections To Non-Parties

Each party may serve on non-parties requests for production of documents/requests for inspection as provided in Fed. R. Civ. P. Rules 34(c) and 45. Such requests should be specific and designed to avoid imposing unnecessary burdens on non-parties. Non-parties shall have thirty (30) days from the date of service to serve objections and to begin producing documents, and one hundred twenty (120) days from the date of service within which to complete full production. If either a party or the non-party anticipates that full production will require more than one hundred twenty (120) days from service, that party or non-party shall notify the Special Master within ten (10) days of service of the subpoena and a telephone conference may be convened to discuss the issue. Any subpoena shall so inform the non-party of these deadlines.

6.1.4 Requests To Admit

A party may serve requests for admission on the other party. Each party served with requests for admission shall have thirty (30) days from the date of

service to serve objections and forty-five (45) days from the date of service to respond.

2. **Briefing on Joinder of Alabama Under Fed. R. Civ. P. 19**

The parties shall submit briefs addressing the following questions: (1) whether the State of Alabama is a required party that must be joined under Rule 19(a); (2) whether the State of Alabama can be joined under Rule 19(a); and (3) whether the State of Alabama is an indispensable party under Rule 19(b). The parties shall file briefs on these questions on or before May 1, 2015. The parties shall file any responsive briefs on or before May 15, 2015. The United States and the State of Alabama may also submit *amicus curiae* briefs pursuant to the same schedule.

Dated: April 8, 2015



Ralph I. Lancaster
Special Master

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