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August 20, 2008

By E-Mail and First Class Mail

Special Master Kristin L. Myles
Munger, Tolles & Olson LLP
560 Mission Street, 27th Floor
San Francisco, California 94015

**Re: *South Carolina v. North Carolina*, No. 138, Original:
South Carolina's Sixth Progress Report**

Dear Special Master Myles:

In advance of the telephonic hearing scheduled for Friday, August 22, 2008, we respectfully submit South Carolina's sixth progress report.

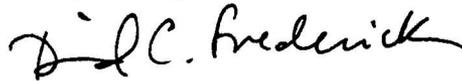
Discovery is ongoing. The party States have served discovery responses, made initial productions of documents, and have met and conferred on certain issues. South Carolina has received responses and an initial production of documents from intervenor Duke Energy and is likewise in the meet-and-confer process with Duke. South Carolina has also received discovery responses from intervenor City of Charlotte but is still awaiting Charlotte's production of documents.

South Carolina has met and conferred with North Carolina on the issue of seeking authorization to send subpoenas to third parties, and would appreciate guidance from the Special Master on being able to do so in advance of the Case Management Plan going into full effect. South Carolina also received a communication today from Catawba River Water Supply Project requesting a meet and confer to follow up on its July 11, 2008 letter. Counsel for South Carolina will seek to meet and confer with CRWSP counsel prior to the August 22 telephone conference but it is unclear whether any issues will be ripe for consideration by the Special Master at that time.

In addition, the briefing on issuance of an Interim Report memorializing the Special Master's recommendations on intervention issues has now been completed.

Special Master Kristin L. Myles
August 20, 2008
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Respectfully submitted,

A handwritten signature in black ink that reads "D.C. Frederick". The signature is written in a cursive style with a large, stylized initial "D".

David C. Frederick
*Special Counsel to the
State of South Carolina*

cc: Enclosed Service List

IN THE
SUPREME COURT OF THE UNITED STATES

No. 138, Original

STATE OF SOUTH CAROLINA,
Plaintiff,

v.

STATE OF NORTH CAROLINA,
Defendant.

CERTIFICATE OF SERVICE

Pursuant to Rule 29.5 of the Rules of this Court, I certify that all parties required to be served have been served. On August 20, 2008, I caused copies of South Carolina's Sixth Progress Report to be served by first-class mail, postage prepaid, and by electronic mail (as designated) on those on the attached service list.



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