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SUPREME COURT OF THE UNITED STATES No. 142, Original

STATE OF FLORIDA,

Plaintiff,

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 March 13, 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 WINSOR, ESQ. OSVALDO VAZQUEZ, ESQ. CHRISTOPHER M. KISE, ESQ. DONALD G. BLANKENAU, ESQ. THOMAS R. WILMOTH, ESQ.

For the State of Georgia:

CRAIG S. PRIMIS, ESQ. K. WINN ALLEN, ESQ. SARAH HAWKINS WARREN, ESQ. BRITT GRANT, ESQ.

Also Present:

JOSHUA D. DUNLAP. ESQ.

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Could you speak up a little bit so the reporter can get that, please.

MS. GRANT: I'm sorry. This is Britt Grant here in Atlanta for Georgia. And the Kirkland team is in D.C. I'll let Craig Primis introduce them.

MR. PRIMIS: Good morning, your Honor. This is Craig Primis from Kirkland & Ellis for the State of Georgia. And I have Sarah Warren and Winn Allen with me.

SPECIAL MASTER LANCASTER: And, Mr. Primis, will you be the principal spokesperson for Georgia?

MR. PRIMIS: Yes, sir, with substantial assistance from Ms. Grant.

SPECIAL MASTER LANCASTER: All right. Thank you.

First, let me begin by an apology. I was in trial, and I thought it was going to end on Monday. Unfortunately, it didn't; and equally unfortunately, the judge didn't think that this Master was special enough for a recess. So we're here on Friday. And I appreciate everyone coming together at this date.

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## **PROCEEDINGS**

SPECIAL MASTER LANCASTER: Good morning,

MR. WINSOR: Good morning.

MS. GRANT: Good morning.

SPECIAL MASTER LANCASTER: This is Ralph, and Josh Dunlap and Claudette Mason are with me.

Let's start with appearances. First, for Florida?

MR. WINSOR: Good morning, your Honor. This is Allen Winsor along with Chris Kise and Osvaldo Vazquez here in Tallahassee for Florida. And I believe Don Blankenau and Tom Wilmoth are also on the line.

SPECIAL MASTER LANCASTER: And, Mr. Winsor, will you be the principal person speaking for Florida?

MR. WINSOR: I'll be doing a good bit of it, your Honor, with some help from Mr. Kise. SPECIAL MASTER LANCASTER: Georgia? MS. GRANT: Good morning. This is Britt

Grant here in Atlanta for Georgia. SPECIAL MASTER LANCASTER: I'm sorry.

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We have reviewed the status reports. Let me, again, compliment you all on your attempts to cooperate and the progress that you have made. Is there anything to be added to the status reports?

Florida?

MR. WINSOR: There have been some updates, your Honor. There have been some additional subpoenas served since the -since the status report was filed Friday. There have been -- Florida and Georgia, as I think we both indicated in the status reports that we were about to do, have jointly issued some discovery requests to some federal agencies. And Florida has also produced just this week some continued document production. The second and third document productions were served this week.

SPECIAL MASTER LANCASTER: Georgia? MR. PRIMIS: No, your Honor. You have the status in the report from Georgia. And as Mr. Winsor just said, there were cooperative efforts this week to serve all that discovery on the United States Government.

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1 And I would just note and underscore that the parties did that jointly. And so we worked together to have unified and a single set of requests for agencies to facilitate that for the U.S. Government and to have one set of document requests for them to contend 6 7 with instead of inconsistent or competing ones for both states. 8 9 10

SPECIAL MASTER LANCASTER: Well, then I think our conference today is going to be relatively brief.

I did note that Governor Deal had sent a letter to Governor Scott. Has there been any response to that?

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MR. WINSOR: Yes, your Honor. This is Allen Winsor again.

The letter that was referenced we just received this week. I'm not sure what happened with the delivery; but at any rate, it did make its way to the governor this week. And he responded just yesterday, as a matter of fact, and has indicated that he's willing to meet.

SPECIAL MASTER LANCASTER: Well, that's one of the first major positive things I have THE REPORTING GROUP Mason & Lockhart

possible result is a settlement between the

two states.

3 So let me ask; is there anything else 4 from Florida?

MR. WINSOR: I don't believe so, your 5 6 Honor.

Allen Winsor, again.

SPECIAL MASTER LANCASTER: Georgia? 8

MR. PRIMIS: No, your Honor.

10 Craig Primis for Georgia. We're good.

SPECIAL MASTER LANCASTER: Let me just. 11

12 as a postscript, if I may, suggest that

deadlines are deadlines. But you don't have 13

to wait until midnight on the deadline date 14

to take the action. And that's just my 15

personal preference. The sooner you can get 16

things done, as we move this matter along, 17

18 the better off we'll be.

Josh, have I left out anything? 19

MR. DUNLAP: I don't believe so. 20

SPECIAL MASTER LANCASTER: I think we're 21

22 finished then until the next time.

23 Thank you very much, counsel.

24 MR. WINSOR: Thank you.

25 MR. PRIMIS: Thank you.

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heard in a long time. And I would encourage them to talk. 2

And as you will recall, there was an 3 offer by the United States to mediate. And even if the United States' offer is not acceptable, mediation may be a good thing to 6 explore. 7

I would suggest that -- and I'm sure you have all seen the Court's decision in Kansas versus Nebraska. I would suggest that you might want to give copies to Governor Deal 12 and Governor Scott because it's certainly an 13 indication -- although the issues were 14 different, several opinions indicate just 15 what the possibilities are and the fact that the history of Kansas versus Nebraska is a

good roadshow for them to understand. As I have said before, that this thing is going to cost millions, if not billions of 19 dollars before we're finished. And while 21 it's against -- probably considered against 22 my own personal interests to urge a settlement, I have said before and I will 24 continue to say until you're sick and tired of hearing it that I think that the best THE REPORTING GROUP

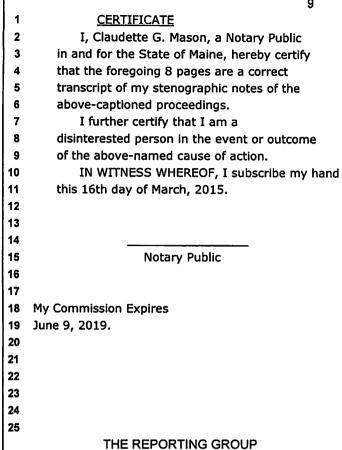
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MS. GRANT: Thank you, your Honor. (The telephone conference was concluded

at 10:06 a.m.) 3

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