



# THE WHALEN LAW FIRM

A LIMITED LIABILITY PARTNERSHIP

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March 25, 2015

Ralph I. Lancaster, Special Master  
Pierce Atwood LLP  
Merrill's Wharf  
254 Commercial Street  
Portland, ME 04101

Re: No. 142, Original  
In the Supreme Court of the United States  
STATE OF FLORIDA v. STATE OF GEORGIA

Dear Sir:

This is to acknowledge receipt of a Subpoena for Production of Documents, served by mail on behalf of the State of Florida on the City of Griffin, Georgia. The subpoena was received by the City Utilities department on or about Friday, March 13, 2015 and brought to my attention, as City Attorney, on or about Monday, March 16, 2015.

The purpose of this letter is to confirm receipt of the Subpoena and to notify you as Special Master, within ten (10) days of its receipt, that full production may take longer than the 120 days from service set forth in Case Management Order No. 4. Since receiving the subpoena, I have met with the City Manager and Director of Utilities to determine availability of records, the format in which such records are normally maintained, and pertinent record retention requirements that may affect availability of documents. I have also briefly consulted with one of the counsel for the State of Georgia concerning the records requested in order to gain a better understanding of what is being sought and am awaiting a return call from Vanessa Silke to obtain further clarification of the documents requested.

One major issue that I have noticed, which may impact the time needed to complete production, is the fact the subpoena contains no date from which records are requested. The City of Griffin operates both as a retail municipal water system and as a wholesale provider of treated drinking water to other nearby water systems in our area. Other than the system owned by the Spalding County Water Authority, which was constructed as an integrated system to the City's retail system and which the City operates under contract with the Authority, all other wholesale sales are complete at the point of metering. No operational data would be available for those customers.

I can assure you the City will make every reasonable effort to timely comply with the subpoena and complete production, if able, within 120 days after service; however, I wanted to alert you to what we believe is a unique situation as a water supplier, which could create delays. It would be extremely helpful if we could have direction as to how far back documents are sought.

Sincerely,



Andrew J. Whalen, III  
City Attorney for the  
City of Griffin, Georgia

Cc: Kenny L. Smith, City Manager  
Dr. Brant D. Keller, PhD., Director of Utilities

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