

**No. 143, Original**

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In the Supreme Court of the United States

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STATE OF MISSISSIPPI,

*Plaintiff,*

v.

STATE OF TENNESSEE, CITY OF MEMPHIS, TENNESSEE AND MEMPHIS LIGHT, GAS &  
WATER DIVISION,

*Defendants.*

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**[PROPOSED] ORDER ON INITIAL CONFERENCE**

The Special Master held an initial conference in this matter on January 26, 2016, at the Estes Kefauver Federal Building and U.S. Courthouse in Nashville, Tennessee, wherein the following was ordered:

1. Leave is granted for Defendants to file motions for judgment on the pleadings, in the nature of motions under Rule 12(c) of the Federal Rules of Civil Procedure ("preliminary motions"), within 30 days of the initial conference. Plaintiff shall have 30 days from the date of Defendants' filings to respond to the preliminary motions. Defendants may file reply briefs within 15 days of the filing of Plaintiff's response. *Amicus* briefs supporting Defendants are due 7 days after the filing of Defendants' preliminary motions, and *amicus* briefs supporting

Plaintiff are due 7 days after the filing of Plaintiff's response brief. The parties may, for good cause, file a motion asking for additional time to file the papers governed by this paragraph.

2. Discovery is stayed until the Special Master has ruled on Defendants' preliminary motions.

3. The parties shall serve pleadings, motions, and memoranda by email in accordance with the approved service list. The Special Master shall receive one (1) electronic copy and one (1) hard copy of all documents filed by the parties.

4. The parties' pleadings, motions, and memoranda shall be submitted on 8 1/2" x 11" paper, using double-spaced, 14-point Times New Roman font (single-spaced font for footnotes).

5. Any remaining matters that might be addressed in a Case Management Order will, if necessary, be considered after the ruling on Defendants' preliminary motions. Nothing in this Order shall be construed to limit the parties' rights with respect to the filing of future dispositive motions if applicable.

**IT IS SO ORDERED, THIS \_\_\_ DAY OF FEBRUARY, 2016**

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The Honorable Judge Eugene E. Siler, Jr.,  
Special Master

APPROVED FOR ENTRY

/s C. Michael Ellingberg

*Lead Counsel for Plaintiff State of Mississippi*

/s David C. Frederick

*Lead Counsel for Defendant State of Tennessee*

/s Leo M. Bearman

*Lead Counsel for Defendants City of Memphis  
and Memphis Light, Gas & Water Division*