

NO. 137, ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	
vs.)	No. 220137 ORG
)	
STATE OF WYOMING and)	
)	
STATE OF NORTH DAKOTA,)	
)	
Defendants.)	
-----)	

TRANSCRIPT OF TELEPHONIC PROCEEDINGS

STATUS CONFERENCE

MARCH 25, 2015

Reported by: Lorraine E. Mesker, CSR No. 6499, RPR.

1 TELEPHONIC APPEARANCES:

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TELEPHONIC APPEARANCES CONTINUED:

FOR THE DEPARTMENT OF NATURAL RESOURCES & CONSERVATION
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DEPARTMENT OF NATIONAL RESOURCES & CONSERVATION OF
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ALSO PRESENT: SUSAN CARTER

TELEPHONIC STATUS HEARING,

reported at Kramm Court Reporting, San Diego,
California, commencing on Wednesday, March 25, 2015,
at 10:02 A.M., before Lorraine E. Mesker, Certified
Shorthand Reporter, CSR No. 6499, in and for the
State of California.

1 WEDNESDAY, MARCH 25, 2015; 10:02 A.M.

2 * * *

3 SPECIAL MASTER THOMPSON: Okay. Why don't we,
4 at this point, go on the record.

5 And so this is a status conference in Montana 00:00:04
6 versus Wyoming, which is No. 137, Original, before the
7 United States Supreme Court.

8 And, as always, let's begin by having counsel
9 for the parties identify themselves. And so let's begin
10 with the State of Montana. 00:00:26

11 MR. DRAPER: Good morning -- or good evening,
12 your Honor. This is John Draper from Montana. And also
13 on the phone for Montana are Anne Yates, Jeff Wechsler,
14 and Alan Joscelyn. And it's Mr. Joscelyn who will be
15 doing the primary speaking for Montana during this call. 00:00:47

16 SPECIAL MASTER THOMPSON: Okay. Thank you,
17 Mr. Draper.

18 And good morning Ms. Yates, Mr. Wechsler, and
19 Mr. Joscelyn.

20 So then let's move over to the State of 00:01:03
21 Wyoming.

22 MR. KASTE: Good morning, your Honor. This is
23 James Kaste. I am here, the Attorney General Michael,
24 Chris Brown, and our Chief Deputy, John Knepper.

25 SPECIAL MASTER THOMPSON: Okay. So then 00:01:21

1 welcome Mr. Kaste, Attorney General Michael, Mr. Brown,
2 and Mr. Knepper. And then finally, then, the State of
3 North Dakota.

4 MS. VERLEGER: This is Jen Verleger, your
5 Honor, and as usual, I am all by myself. 00:01:38

6 SPECIAL MASTER THOMPSON: Okay. But you make
7 up for it. You do a great job of representing the State
8 of North Dakota on your own.

9 MS. VERLEGER: Thanks.

10 SPECIAL MASTER THOMPSON: So welcome, 00:01:52
11 everybody. I assume that's everybody on the line, other
12 than the court reporter and Ms. Carter; is that correct?

13 Okay. Then what I'd like to do, not
14 surprisingly, is to start out by going off the record.

15 So at this point the conversations are off the 00:02:10
16 record.

17 (Discussion off the record.)

18 SPECIAL MASTER THOMPSON: Okay. So then let's
19 go back on the record. At this point.

20 So we are back on the record. And the parties 00:46:47
21 and I have had an excellent discussion. We have
22 reviewed the status of this particular proceeding, at
23 this stage. I have reminded both Montana and Wyoming
24 that the Supreme Court has directed the states to
25 consider carefully whether it is appropriate for them to 00:47:18

1 continue invoking the jurisdiction of the Supreme Court
2 at this point. And as the Court has said in many prior
3 cases, that the Court's expressed preference is that the
4 states settle their controversies by mutual
5 accommodation and agreement. 00:47:41

6 I have also told the parties that I am
7 available at any particular point in time, to help in
8 any efforts to resolve the parties' dispute. And we
9 have discussed various possible measures that I could
10 take to facilitate settlement discussions. 00:48:04

11 So as I said, the discussions, I think, have
12 been very good, and we will be convening again for
13 another status conference next week. So let me ask
14 whether there is anything that either Montana, Wyoming,
15 or North Dakota would like to say on the record at this 00:48:31
16 point.

17 MR. JOSCELYN: Speaking for Montana, your
18 Honor, no.

19 MR. MICHAEL: And nothing from Wyoming, your
20 Honor. 00:48:40

21 MS. VERLEGER: Nothing from North Dakota, your
22 Honor.

23 SPECIAL MASTER THOMPSON: Okay. Thank you very
24 much. And, Ms. Carter, will you take responsibility for
25 finding a time when we can talk again next week? 00:48:52

1 MS. CARTER: Absolutely.
2 SPECIAL MASTER THOMPSON: Okay. Thank you.
3 And, again, let's set aside an hour, but my hope would
4 be that it will be less than an hour that we would be on
5 the line. 00:49:09

6 Okay. Thank you very much to everybody for
7 being on the line this morning, and since it's about ten
8 minutes to 8:00 right now, Cape Town time, I am going to
9 head out for dinner.

10 MR. JOSCELYN: Bon appetit, your Honor. 00:49:33

11 SPECIAL MASTER THOMPSON: Okay. Thanks a lot.
12 Talk to you next week.

13 * * *
14 (End of proceedings at 10:51 A.M.)
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1 STATE OF CALIFORNIA) ss:
2 COUNTY OF SAN DIEGO)
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4 I, LORRAINE E. MESKER, Certified Shorthand
5 Reporter, License No. 6499, State of California, do
6 hereby certify:

7 That said proceedings were taken at the time
8 and place therein set forth, and were reported by me in
9 shorthand and transcribed by means of computer-aided
10 transcription, and that the foregoing pages are a full,
11 complete, and true record of said proceedings.

12 I further certify that I am a disinterested
13 person and am in no way interested in the outcome of
14 said action, or connected with or related to any of the
15 parties in said action, or to their respective counsel.

16 The dismantling, unsealing, or unbinding of
17 the original transcript will render the reporter's
18 certificate null and void.

19 IN WITNESS WHEREOF, I have hereunto set my
20 hand this 30th day of March, 2015.

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LORRAINE E. MESKER, CSR NO. 6499, RPR