



**MONTGOMERY
& ANDREWS**

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U.S. MAIL AND EMAIL

June 20, 2011

Barton H. Thompson, Jr.,
Special Master
Woods Institute
Jerry Yang and Akiko Yamazaki
Environment & Energy Bldg., C-4205
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Stanford, CA 94305-4205
susan.carter@stanford.edu

**Re: *Montana v. Wyoming & North Dakota*
No. 137, Orig., U.S. Supreme Court
Request for Modification of Case Management Order**

Dear Special Master Thompson:

You issued a new case management order, designated Case Management Order No. 5 on June 15, 2011 ("Case Management Order"). Paragraph 9 of the Case Management Order specifies that any request for modification or supplementation of the Case Management Order be submitted to the Special Master on or before Monday, June 20, 2011.

I would request two modifications as follows:

1. A change in the date for the telephonic status conference set for August 25, 2011, in Paragraph 7 of the Case Management Order. I believe it is my fault for misinforming the Special Master as to my availability. I will still be returning to New Mexico on August 25, 2011,

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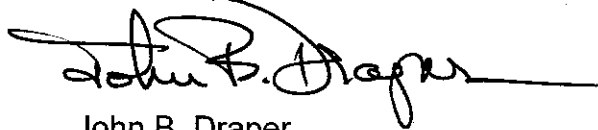
and would therefore request that the telephonic status conference be reset for sometime the following week of August 29 – September 2.

2. A redesignation of the Case Management Order as “Case Management Order No. 6.” The Special Master has already issued an order designated “Case Management Order No. 5,” dated July 20, 2010.

I have discussed these two requests with counsel for the States of Wyoming and North Dakota, and they have no objection. I have not attempted to discuss these requests with counsel for the *Amici Curiae*.

Thank you very much for your consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John B. Draper", with a long horizontal line extending to the right.

John B. Draper
Counsel of Record
State of Montana

JBD:dlo

cc: (U.S. Mail & Email)
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