

No. 137, Original

In The
Supreme Court Of The United States

STATE OF MONTANA,

Plaintiff,

v.

STATE OF WYOMING

and

STATE OF NORTH DAKOTA

Defendants.

Before the Honorable Barton H. Thompson, Jr.
Special Master

MONTANA'S STATUS REPORT NO. 10

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November 2, 2012

COMES NOW the State of Montana, pursuant to Section VII.D of Case Management Plan No. 1 (December 20, 2011) ("CMP No. 1"), and submits this Status Report No. 10.

1. On October 18, 2012, Montana submitted its Responses to Wyoming's First Request for Admissions and its Objections to Wyoming's Second Set of Interrogatories.

2. On November 2, 2012, Montana served its Responses to Wyoming's Second Set of Interrogatories.

3. Montana is continuing its discovery and other efforts to meet the January 4, 2012 expert disclosure deadline.

4. On October 31 through November 2, 2012, Montana took the depositions of Carmine LoGuidice, Mike Whitaker, and Bill Knapp in Sheridan, Wyoming.

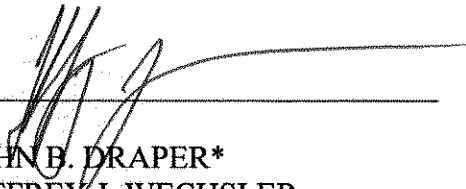
5. Montana is coordinating with Wyoming to schedule approximately 20 additional depositions of Wyoming officials and Wyoming water users identified in Wyoming's Initial Disclosures. Montana anticipates that those depositions will be completed by mid-December.

6. On November 2, 2012, Montana notified Wyoming of its concerns regarding Wyoming's Answers to Montana's First Set of Interrogatories, First Set of Requests for Production, and First Set of Requests for Admission. The concerns are expressed in an 8-page letter and 6 page exhibit.

7. Montana anticipates propounding additional discovery requests to Wyoming in the near future.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of Montana's Status Report No. 10 was served by electronic mail on November 2, 2012, and by placing the same in the U.S. mail on November 5, 2012, on the following:

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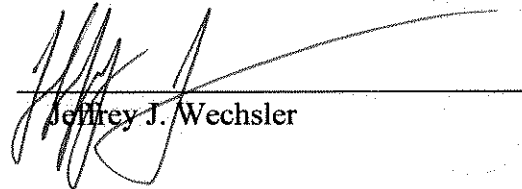
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I further certify that all parties required to be served have been served.



Jeffrey J. Wechsler