



January 13, 2025

***Via Electronic Mail***

Hon. D. Brooks Smith  
Special Master  
United States Circuit Judge  
1798 Plank Road, Suite 203  
Duncansville, PA 16635  
[chambers\\_of\\_judge\\_d\\_brooks\\_smith@ca3.uscourts.gov](mailto:chambers_of_judge_d_brooks_smith@ca3.uscourts.gov)

Re: *Texas v. New Mexico, and Colorado*, Case No. 24-141  
Compacting States' Request for Clarification Regarding  
February 27 Status Conference

Dear Special Master Smith:

The States of Texas, New Mexico, and Colorado (the Compacting States) request clarification with respect to the Status Conference scheduled for February 27, 2025. That Status Conference is scheduled to follow two and one-half days of further mediation. The Compacting States are concerned with the delay in scheduling further mediation and, consequently, discussed with the Mediator that mediation should be in conjunction with a Trial Setting Conference. We are uncertain and seek clarification on whether the Status

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Conference scheduled for February 27 in Pittsburg is intended to include the Trial Setting Conference we had requested. While we are hopeful that a settlement can be arrived at when we resume mediation in February, we would like to be prepared for the possibility that it might not. Because we are concerned about delays, we believe that proceeding with a Trial Setting Conference in February would be the most efficient use of the Parties' time and resources. If the February 27 Status Conference will include a Trial Setting Conference, we also request clarification of submissions that the Special Master will require.

This letter is joined in and has been authorized by Lead Counsel for the Compacting States.

Respectfully submitted,

By: /s/ Stuart L. Somach  
Stuart L. Somach, Esq.  
Lead Counsel for the State of Texas

cc: Jeffrey J. Wechsler  
Chad M. Wallace  
SLS:cr

No. 141, Original

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In the  
SUPREME COURT OF THE UNITED STATES

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STATE OF TEXAS,

Plaintiff,

v.

STATE OF NEW MEXICO and  
STATE OF COLORADO,

Defendants.

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OFFICE OF THE SPECIAL MASTER

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CERTIFICATE OF SERVICE

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This is to certify that on the 13th day of January 2025, I caused a true and correct copy of the foregoing **January 13, 2025 Letter to Hon. D. Brooks Smith re Compacting States' Request for Clarification Regarding February 27 Status Conference** to be served upon the parties and filed with the Special Master through the Third Circuit Case Management and Electronic Case Filing (CM/ECF) System.

Respectfully submitted,

Dated: January 13, 2025

s/ Crystal Rivera

Crystal Rivera