

No. 141, Original

In the
SUPREME COURT OF THE UNITED STATES

STATE OF TEXAS,

Plaintiff,

v.

STATE OF NEW MEXICO and

STATE OF COLORADO,

Defendants,

UNITED STATES OF AMERICA,

Intervenor.

ORDER

On January 15, 2025, I issued an order directing the procedure I would require to secure approval of all invoices submitted by the Mediator [1/15/25 Order]. Pursuant to section II of the 1/15/25 Order, the parties jointly seek approval herein, and I hereby approve the following Mediator invoices:

A. Arthur J. Boylan ADR LLC, Invoice #032025, February 28, 2025, for services from January 8, 2025 through February 27, 2025 [Exhibit A].

a. Time: 43 hrs.

b. Fees: \$25,200.00

c. Expenses: \$2,125.32

d. Total Due: \$27,325.32

i. Split between the parties under section I.D. of the 1/15/25

Order as follows:

1. Texas: \$8,197.60

2. New Mexico: \$8,197.60

3. Colorado: \$2,732.52

4. United States: \$8,197.60

B. Arthur J. Boylan ADR LLC, Invoice #072024A, December 31, 2024, for services from November 1, 2024 through December 16, 2024 [Exhibit B].

a. Time: 37.5 hrs.

b. Fees: \$22,750.00

c. Expenses: \$2,577.55

d. Total Due: \$25,327.55

i. Split between the parties under section I.D. of the 1/15/25

Order as follows:

1. Texas: \$7,598.27
2. New Mexico: \$7,598.27
3. Colorado: \$2,532.74
4. United States: \$7,598.27

C. Arthur J. Boylan ADR LLC, Invoice #52024, October 31, 2024, for services from June 14, 2024 through October 31, 2024 [Exhibit C].

- a. Fees: \$10,000.00
- b. Expenses: \$1,058.85
- c. Total Due: \$11,058.85

i. Split between the parties under section I.D. of the 1/15/25

Order as follows:

1. Texas: \$3,317.66
2. New Mexico: \$3,317.66
3. Colorado: \$1,105.87
4. United States: \$3,317.66

II. Court Reporter Invoices:

Additionally, the parties jointly seek approval herein, and I hereby approve, the following court reporter invoices:

- A. HB Reporting, Invoice 2024-1023, dated March 24, 2025, for services of reporter Heather Garza at the October 23, 2024 Status Conference [Exhibit D]. Transcript expenses are split between the parties as follows: 30% Texas, 30% New Mexico, 30% United States and, 10% Colorado. Travel expenses are split equally between each party. The full invoices for the parties are: Texas, New Mexico, and the United States: \$1,300.00 each; Colorado: \$634.00.
- A. HB Reporting, Invoice 2025-0227, dated March 24, 2025, for services of reporter Heather Garza at the February 27, 2025 Status Conference [Exhibit E]. Transcript expenses are split between the parties as follows: 30% Texas, 30% New Mexico, 30% United States, and 10% Colorado. Travel expenses are split equally between each party. The full invoices for the parties are: Texas, New Mexico, and the United States: \$485.00 each; Colorado: \$295.19.

III. Costs for the February 25-27, 2025 Mediation

- B. The mediation facility, audio-visual, and related hosting costs, except food and beverage, shall be invoiced by Somach Simmons & Dunn to New Mexico, the United States, and Colorado with the allocation: 30% Texas, 30% New Mexico, 30% United States, and 10% Colorado.
- C. Any and all food and beverage costs shall be invoiced by Somach Simmons & Dunn to New Mexico and Colorado with the allocation: 40% Texas, 40% New Mexico, and 20% Colorado.

Date: April 14, 2025



Honorable D. Brooks Smith
Special Master
United States Circuit Judge
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