

Supreme Court of the United States

DELAWARE, *Plaintiff,*

v.

Nos. 145 & 146 (Consolidated)

ARKANSAS, *et al., Defendants*

APRIL 11, 2023

ORDER

PIERRE N. LEVAL, *Special Master:*

On March 23, 2023, having received the Supreme Court's ruling in favor of the Defendant States, I scheduled a conference with the parties to set a schedule for litigating the outstanding questions, particularly whether and to what extent damages should be assessed against Delaware on the basis of its having received escheat payments from MoneyGram that the Supreme Court determined should have gone to the Defendant States. The conference was to be held on May 4, 2023 in Courtroom 1505 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York.

The Defendant States, by email of April 10, 2023, submitted a request that the conference be held remotely, in view of the considerable expense to the taxpayers of their States of requiring counsel to travel to New York. Delaware responded opposing the Defendant States' request, arguing that virtual hearings are less conducive to the participation of multiple parties with competing views and do not permit the same natural give-and-take as an in-person hearing. Delaware argued that, in light of the considerable stakes of the litigation to taxpayers in many States, an in-person hearing would be appropriate.

While Delaware's preference for an in-person conference is altogether reasonable, in view of the very preliminary nature of this conference and the expectation that few or no issues of importance will be decided there, the Defendant States' request that the conference be conducted remotely is granted.

The Defendant States should arrange for the Zoom facility and for transcription services. The videoconference should also be livestreamed for members of the public and/or media. The details of the Zoom videoconference and public livestream should be sent to me no later than one week prior to the conference.

IT IS SO ORDERED.

A handwritten signature in black ink, consisting of a large, stylized initial 'P' followed by a long, sweeping horizontal line that ends in a small loop.

PIERRE N. LEVAL, *Special Master*
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