

**SUPREME COURT OF THE UNITED STATES**

---

DELAWARE, *Plaintiff*,

v.

Nos. 220145 & 220146 (Consolidated)

ARKANSAS, *et al.*, *Defendants*.

---

**NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT IN  
FAVOR OF DELAWARE**

PLEASE TAKE NOTICE that Plaintiff State of Delaware (“Delaware”), by and through its undersigned counsel, respectfully moves this Court, before the Honorable Pierre N. Leval, appointed as Special Master by the United States Supreme Court, for summary judgment in Delaware’s favor on each claim of Delaware’s Bill of Complaint. Delaware’s motion is supported by the accompanying memorandum of law setting forth the cases and other authorities relied upon, Statement of Facts, Declaration of John David Taliaferro and exhibits attached thereto, Affidavit of Cory J. Feinberg, Declaration of Jonathan Massimino and exhibits attached thereto, Declaration of Erin C. Schol, Affidavits of Jennifer Whitlock and exhibits attached thereto, and Declaration of Eva Yingst and exhibits attached thereto. Delaware requests an Order granting its Motion for Summary Judgment, and granting such other further and different relief as the Court deems just and proper.

Dated: February 1, 2019

Kathleen Jennings  
Attorney General  
of Delaware  
Allison E. Reardon  
State Solicitor  
Caroline Lee Cross  
Elizabeth R. McFarlan  
Delaware Department of Justice  
Department of Finance  
Carvel State Office Building  
820 North French Street  
Wilmington, DE 19801  
Ph: (302) 577-8842  
Eml: Caroline.Cross@state.de.us

*/s/ Steven S. Rosenthal*  
Steven S. Rosenthal  
Tiffany R. Moseley  
J.D. Taliaferro  
LOEB & LOEB LLP  
901 New York Avenue NW  
Washington, D.C. 20001  
Ph: (202) 618-5000  
Fax: (202) 618-5001  
Eml: [srosenthal@loeb.com](mailto:srosenthal@loeb.com)  
[tmoseley@loeb.com](mailto:tmoseley@loeb.com)  
[jtaliaferro@loeb.com](mailto:jtaliaferro@loeb.com)

Marc S. Cohen  
LOEB & LOEB LLP  
10100 Santa Monica Boulevard, Suite  
2200  
Los Angeles, CA 90067  
Ph: (310) 282-2000  
Fax: (310) 282-2200  
Eml: mscohen@loeb.com

*Counsel for Plaintiff State of Delaware*