

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIVIL ACTION NO.
3:16-CV-00622-CWR-FKB

STATE OF MISSISSIPPI,

Defendant.

**UNITED STATES' RESPONSE
IN OPPOSITION TO STATE OF MISSISSIPPI'S MOTION FOR CLARIFICATION
OF SPECIAL MASTER'S ROLE AND OBLIGATIONS**

The State's Motion for Clarification, ECF No. 254, should be denied.

1. The role and obligations of the Special Master require no further clarification at this time.
2. The State's second request—seeking clarification that the Special Master may not “provide, introduce, or discuss in his report any information regarding mental health systems other than the State's mental health system that was not admitted into evidence at trial”—could frustrate the purpose behind the Special Master's report and create inconsistency with the Court's existing Orders relating to the Special Master's role and obligations, ECF Nos. 241 and 253.
3. The State's first and third requests—seeking clarification that the Special Master's input must be in the form of a written report and that the Special Master may not disclose information protected by Federal Rule of Evidence 408—are substantively consistent with the United States' position, but adequately addressed by the Court's existing Orders.
4. In support, the United States submits the attached memorandum.

Relief Requested

The United States respectfully requests that the Court deny the State's Motion for Clarification, ECF No. 254.

Dated: March 18, 2021.

Respectfully submitted,

DARREN J. LAMARCA
Acting United States Attorney
Southern District of Mississippi

MITZI DEASE PAIGE [MS BAR 6014]
Assistant United States Attorneys
501 E. Court Street, Suite 4.430
Jackson, MS 39201
Telephone: (601) 973-2840
mitzi.paige@usdoj.gov

PAMELA S. KARLAN
Principal Deputy Assistant Attorney General
Civil Rights Division

STEVEN H. ROSENBAUM
Chief
Special Litigation Section

REGAN RUSH
Principal Deputy Chief
Special Litigation Section

/s/ Patrick Holkins
PATRICK HOLKINS [VA Bar 85665]
DEENA FOX
Trial Attorneys
Special Litigation Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W. – 4CON
Washington, DC 20530
Telephone: (202) 305-6630
Patrick.Holkins@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2021, I electronically filed the foregoing with the Clerk of Court using the ECF system, which sent notification of such filing to all counsel of record.

/s/ Patrick Holkins

Patrick Holkins