

# In the United States Court of Federal Claims

Filed: February 12, 2018

IN RE DOWNSTREAM ADDICKS  
AND BARKER (TEXAS) FLOOD-  
CONTROL RESERVOIRS

Sub-Master Docket No. 17-9002L

THIS DOCUMENT APPLIES TO:

ALL DOWNSTREAM CASES

## ORDER REGARDING SHORT FORM COMPLAINT FOR PLAINTIFFS WITH DOWNSTREAM CLAIMS

On January 29, 2018, the court issued Case Management Order No. 5, wherein the court directed “Downstream Co-Lead Counsel and counsel for the Government [to] meet and confer for the purpose of drafting a mutually-agreeable Short Form Complaint adopting the Master Complaint” and to provide the court with a jointly proposed Short Form Complaint by February 2, 2018. ECF No. 27 at 2.

On February 2, 2018, Downstream Co-Lead Counsel and the Government independently filed competing motions requesting that the court adopt their respective versions of the Short Form Complaint. ECF Nos. 33, 34.

On February 6, 2018, the court convened a status conference, during which the parties discussed their pending February 2, 2018 Motions and reached an agreement regarding the content of the Short Form Complaint.

On that same day, the court issued an Order directing the parties to file a jointly proposed Short Form Complaint by February 9, 2018. ECF No. 38. On February 9, 2018, the parties filed a Joint Proposal For Short-Form Complaint. ECF No. 43.

After consideration of the parties’ February 9, 2018 Joint Proposal For Short-Form Complaint, the court has determined that the attached Plaintiff’s Short Form Complaint will serve as the Short Form Complaint for plaintiffs with downstream claims.

**IT IS SO ORDERED.**

s/ Susan G. Braden  
**Susan G. Braden**  
**Chief Judge**