

IN THE  
**Supreme Court of the United States**

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**RECEIVED**

**JUN 23 2008**

**KLM**

STATE OF SOUTH CAROLINA,  
*Plaintiff,*

v.

STATE OF NORTH CAROLINA, ET AL.,  
*Defendants.*

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**THE CITY OF CHARLOTTE, NORTH CAROLINA'S  
JOINDER IN BRIEF OF NORTH CAROLINA REGARDING ISSUES FOR  
PHASE I**

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June 17, 2008

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The City of Charlotte joins in the positions taken and the arguments presented in the Brief of the State of North Carolina regarding Issues for Phase I, filed June 16, 2008. Charlotte believes it is imperative that South Carolina first identify precisely the injuries it claims to have suffered and the actions in North Carolina alleged to have caused those injuries. In so doing, South Carolina faces a heavy burden of demonstrating, by clear and convincing evidence, that it has suffered injury of a serious magnitude due to depletions of the Catawba River's flows by water consumption or diversions in North Carolina. See, e.g., Connecticut v. Massachusetts, 282 U.S. 660, 669 (1931). Given the extraordinarily complex hydrology of the Catawba River Basin and the corresponding difficulty South Carolina faces in attributing its alleged injuries to water depleting activities in North Carolina, as opposed to climatic factors, reservoir operations and activities in South Carolina, Charlotte believes the schedule proposed by North Carolina is appropriate for the highly technical discovery and expert evaluation that will be required.

Respectfully submitted,

  
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