

To: Dunn, Katharine N.; Cenar, Kara; 'Tal Dickstein'
Cc: 'Linda M. Burrow'; 'ghampton@hamptonholley.com'; Pink, Jonathan Stuart; 'Barry Slotnick';
'emcpherson@mcphersonrane.com'; 'trane@mcphersonrane.com'; Seale, Merili; 'Alison Mackenzie'
Subject: RE: Pringle - Revised Proposed Protective Order

All,

Please advise if we can expect the final draft of the protective order this morning. If you are not able to complete that this morning, we will incorporate your changes and provide a signed copy this morning. Thank you.

Katharine Dunn
Miller Canfield
Attorney at Law
312-460-4226 (direct)
312-460-4288 (fax)
dunn@millercanfield.com
www.millercanfield.com

-----Original Message-----

From: Dunn, Katharine N.
Sent: Tuesday, June 14, 2011 3:55 PM
To: 'Cenar, Kara'; 'Tal Dickstein'
Cc: Linda M. Burrow; ghampton@hamptonholley.com; Pink, Jonathan Stuart; Barry Slotnick;
emcpherson@mcphersonrane.com; trane@mcphersonrane.com; Seale, Merili; Alison Mackenzie
Subject: RE: Pringle - Revised Proposed Protective Order

Counsel,

We are in agreement with the proposed changes as reflected in the protective order draft attached (sent by Kara Cenar on Friday, June 10). We are also in agreement with the proposed language sent by Linda Burrow on Saturday, June 11th. Please provide us with a finalized version of the protective order incorporating those changes and we will sign it. Thank you.

Katharine

Katharine Dunn
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Attorney at Law
312-460-4226 (direct)
312-460-4288 (fax)
dunn@millercanfield.com
www.millercanfield.com

-----Original Message-----

From: Cenar, Kara [mailto:Kara.Cenar@bryancave.com]
Sent: Tuesday, June 14, 2011 3:16 PM
To: 'Tal Dickstein'; Dunn, Katharine N.

Cc: Linda M. Burrow; ghampton@hamptonholley.com; Pink, Jonathan Stuart; Barry Slotnick; emcpherson@mcphersonrane.com; trane@mcphersonrane.com; Seale, Merili; Alison Mackenzie
Subject: RE: Pringle - Revised Proposed Protective Order

Yes that seems to make sense

-----Original Message-----

From: Tal Dickstein [mailto:tdickstein@loeb.com]
Sent: Tuesday, June 14, 2011 3:12 PM
To: 'Dunn, Katharine N.'; Cengar, Kara
Cc: Linda M. Burrow; ghampton@hamptonholley.com; Pink, Jonathan Stuart; Barry Slotnick; emcpherson@mcphersonrane.com; trane@mcphersonrane.com; Seale, Merili; Alison Mackenzie
Subject: RE: Pringle - Revised Proposed Protective Order

Yes, we agree to Kara's proposed changes, though we reserve the right to approve the final version. As I said below, you can work from Kara's version along with Linda's comments.

-----Original Message-----

From: Dunn, Katharine N. [mailto:dunn@millercanfield.com]
Sent: Tuesday, June 14, 2011 4:09 PM
To: Tal Dickstein; 'Cengar, Kara'
Cc: Linda M. Burrow; ghampton@hamptonholley.com; Pink, Jonathan Stuart; Barry Slotnick; emcpherson@mcphersonrane.com; trane@mcphersonrane.com; Seale, Merili; Alison Mackenzie
Subject: RE: Pringle - Revised Proposed Protective Order

Tal,

I understand that Kara's changes were proposed to the draft you circulated earlier on Friday. Please just confirm whether Kara's version overrides your version (i.e. that you agree to her proposed changes to your draft). I'm just trying to determine which version I need to respond to. If Kara's version replaces yours, then I will use her draft and incorporate Linda Burrow's language.

Katharine Dunn
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312-460-4288 (fax)
dunn@millercanfield.com
www.millercanfield.com

-----Original Message-----

From: Tal Dickstein [mailto:tdickstein@loeb.com]
Sent: Tuesday, June 14, 2011 2:46 PM
To: Dunn, Katharine N.; 'Cengar, Kara'
Cc: Linda M. Burrow; ghampton@hamptonholley.com; Pink, Jonathan Stuart; Barry Slotnick; emcpherson@mcphersonrane.com; trane@mcphersonrane.com; Seale, Merili; Alison Mackenzie
Subject: RE: Pringle - Revised Proposed Protective Order

As Kara's 6/10 email indicates (copy attached), she proposed changes to the version I circulated earlier that day. It appears that she preserved my track changes, so you should be able to work off her version plus the changes suggested by Linda.

-----Original Message-----

From: Dunn, Katharine N. [mailto:dunn@millercanfield.com]
Sent: Tuesday, June 14, 2011 3:34 PM
To: 'Cenar, Kara'; Tal Dickstein
Cc: Linda M. Burrow; ghampton@hamptonholley.com; Pink, Jonathan Stuart; Barry Slotnick; emcpherson@mcphersonrane.com; trane@mcphersonrane.com; Seale, Merili; Alison Mackenzie
Subject: RE: Pringle - Revised Proposed Protective Order

Kara,

Please answer me this - does the draft proposed by you override the draft proposed by Tal? Tal, please confirm as well.

Katharine

Katharine Dunn
Miller Canfield
Attorney at Law
312-460-4226 (direct)
312-460-4288 (fax)
dunn@millercanfield.com
www.millercanfield.com

-----Original Message-----

From: Cenar, Kara [mailto:Kara.Cenar@bryancave.com]
Sent: Tuesday, June 14, 2011 2:10 PM
To: Dunn, Katharine N.; 'Tal Dickstein'
Cc: Linda M. Burrow; ghampton@hamptonholley.com; Pink, Jonathan Stuart; Barry Slotnick; emcpherson@mcphersonrane.com; trane@mcphersonrane.com; Seale, Merili; Alison Mackenzie
Subject: RE: Pringle - Revised Proposed Protective Order

Sorry Katharine, I am not available or able to follow your request and instruction. We are fine with you taking the lead on compiling the changes into one document, as you are the Plaintiff and we have actually spent a great deal of time on this already.

You asked us to provide our changes to you and we have done that and you have had it in your possession for days. We have been asking you for protective order discussions for MONTHS. You have our changes, as you requested that we provide. All we ask is that you do not ignore those changes when you focus on Linda Burrow's draft..

-----Original Message-----

From: Dunn, Katharine N. [mailto:dunn@millercanfield.com]
Sent: Tuesday, June 14, 2011 2:06 PM
To: Cenar, Kara; 'Tal Dickstein'
Cc: Linda M. Burrow; ghampton@hamptonholley.com; Pink, Jonathan Stuart; Barry Slotnick; emcpherson@mcphersonrane.com; trane@mcphersonrane.com; Seale, Merili; Alison Mackenzie
Subject: RE: Pringle - Revised Proposed Protective Order

Counsel,

I have three separate draft protective orders then from Tal Dickstein, Kara Cenar and Linda Burrow each with different proposed language from the various defendants. Please send me one draft that ALL defendants are in agreement with as the current draft. I will respond this afternoon to that ONE proposed draft. Kara - why don't you take the lead on incorporating everyone's agreed changes and get that to me this afternoon. Thanks.

Katharine Dunn
Miller Canfield
Attorney at Law
312-460-4226 (direct)
312-460-4288 (fax)
dunn@millercanfield.com
www.millercanfield.com

-----Original Message-----

From: Cenar, Kara [mailto:Kara.Cenar@bryancave.com]
Sent: Tuesday, June 14, 2011 1:54 PM
To: Dunn, Katharine N.; 'Tal Dickstein'
Cc: Linda M. Burrow; ghampton@hamptonholley.com; Pink, Jonathan Stuart; Barry Slotnick; emcpherson@mcphersonrane.com; trane@mcphersonrane.com; Seale, Merili; Alison Mackenzie
Subject: RE: Pringle - Revised Proposed Protective Order

I'm sorry but we provided changes to you and Ms. Burrow's copy I don't believe incorporated our changes. I respectfully, again ask you to please confirm that you have the changes of my clients, and that they are in the draft that will be final.

-----Original Message-----

From: Dunn, Katharine N. [mailto:dunn@millercanfield.com]
Sent: Tuesday, June 14, 2011 1:33 PM
To: 'Tal Dickstein'
Cc: Linda M. Burrow; Cenar, Kara; ghampton@hamptonholley.com; Pink, Jonathan Stuart; Barry Slotnick; emcpherson@mcphersonrane.com; trane@mcphersonrane.com; Seale, Merili; Alison Mackenzie
Subject: RE: Pringle - Revised Proposed Protective Order

I will provide comments shortly based on the draft protective order provided by Ms. Burrow last Saturday, June 12, 2011. If that is not the current draft, please advise. Thank you.

Katharine Dunn
Miller Canfield
Attorney at Law
312-460-4226 (direct)
312-460-4288 (fax)
dunn@millercanfield.com
www.millercanfield.com

-----Original Message-----

From: Tal Dickstein [mailto:tdickstein@loeb.com]
Sent: Tuesday, June 14, 2011 1:24 PM
To: Dunn, Katharine N.

Cc: Linda M. Burrow; Cenar, Kara; ghampton@hamptonholley.com; Pink, Jonathan Stuart; Barry Slotnick; emcpherson@mcphersonrane.com; trane@mcphersonrane.com; Seale, Merili; Alison Mackenzie
Subject: Re: Pringle - Revised Proposed Protective Order

We have provided all comments on behalf of our clients, though we reserve the right to approve the final version.

As discussed during our meet and confer last week, we cannot go forward with Mr. Riesterer's deposition absent agreement among the parties on the proposed order (even if not yet entered by the court). It would therefore seem that you should provide any comments as soon as possible, even if there may be additional comments from other defendants.

On Jun 14, 2011, at 2:15 PM, "Dunn, Katharine N." <dunn@millercanfield.com> wrote:

> All,
>
> Please advise whether there are any other proposed changes to the
> language of the protective order. We would like to provide our
> comments, but would prefer not to do so in a piecemeal fashion. Thank
> you,
>
> Katharine
>
>
> Katharine Dunn
> Miller Canfield
> Attorney at Law
> 312-460-4226 (direct)
> 312-460-4288 (fax)
> dunn@millercanfield.com
> www.millercanfield.com
>
>
> -----Original Message-----
> From: Linda M. Burrow [mailto:burrow@caldwell-leslie.com]
> Sent: Sunday, June 12, 2011 2:00 AM
> To: Cenar, Kara; 'Tal Dickstein'; Dunn, Katharine N.; 'ghampton@hamptonholley.com'
> Cc: Pink, Jonathan Stuart; Barry Slotnick;
> 'emcpherson@mcphersonrane.com'; 'trane@mcphersonrane.com'; Seale,
> Merili; Alison Mackenzie
> Subject: RE: Pringle - Revised Proposed Protective Order
>
>
> Sorry. Here's the language (some spare words in the email below) as well as the redline.
>
> the Receiving Party's Outside Counsel of record in this action, In-House Counsel who are actively involved in the
prosecution or defense of this action, and employees of said Outside and In-House Counsel to whom it is essential to
disclose the information for this litigation.
>
> Thanks.
>
>
> _____

> Linda M. Burrow

>

> Caldwell Leslie

> Caldwell Leslie & Proctor, PC

> 1000 Wilshire Boulevard, Suite 600

> Los Angeles, CA 90017-2463

> Tel 213.629.9040 Fax 213.629.9022

> burrow@caldwell-leslie.com

>

> www.caldwell-leslie.com

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>

> From: Linda M. Burrow

> Sent: Saturday, June 11, 2011 11:59 PM

> To: Cengar, Kara; 'Tal Dickstein'; 'Dunn, Katharine N.'; 'ghampton@hamptonholley.com'

> Cc: Pink, Jonathan Stuart; Barry Slotnick;

> 'emcpherson@mcphersonrane.com'; 'trane@mcphersonrane.com'; Seale,

> Merili; Alison Mackenzie

> Subject: RE: Pringle - Revised Proposed Protective Order

>

> With the addition of the "Highly Confidential" designation, which prohibits review by a party, we need to add in-house litigation counsel to the definition of "Outside Counsel" in section 7.2(a). I suggest the following (which is also shown in the attached redline):

>

> the Receiving Party's Outside Counsel of record in this action, In-House Counsel who are actively involved in the prosecution or defense of this action, and employees of said Outside and In-House Counsel who as well as employees of said Outside Counsel to whom it is essential to disclose the information for this litigation.

>

> Please let me know if you have any questions. Also, I have copied my colleague, Alison Mackenzie, on this email. Please ensure she is copied on future correspondence in this case.

>

> Thanks.

>

> Linda

>

>

> Linda M. Burrow

>

> Caldwell Leslie

> Caldwell Leslie & Proctor, PC

> 1000 Wilshire Boulevard, Suite 600

> Los Angeles, CA 90017-2463

> Tel 213.629.9040 Fax 213.629.9022

> burrow@caldwell-leslie.com

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> www.caldwell-leslie.com

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> _____
> From: CEAR, Kara [Kara.CEAR@bryancave.com]
> Sent: Friday, June 10, 2011 3:39 PM
> To: 'Tal Dickstein'; 'Dunn, Katharine N.'; 'ghampton@hamptonholley.com'
> Cc: Pink, Jonathan Stuart; Barry Slotnick; Linda M. Burrow;
> 'emcpherson@mcphersonrane.com'; 'trane@mcphersonrane.com'; Seale,
> Merili
> Subject: RE: Pringle - Revised Proposed Protective Order
>
> Attached are my redlined proposed changes to the draft circulated by Tal.
>
> Please be advised that once this group of counsel agree on the changes, and we arrive at a final document, I am and will be required to go over the protective order with my clients (and please remember that I represent many individuals and entities) to determine if they have any additional changes and edits.
>
> I have also copied Ed McPherson and Tracy Rane on this email as they are counsel to some of the Defendants in the Batts litigation. George and Katherine indicated a desire to have this order also be submitted in the Batts case. Therefore Ed and Tracy's review and approval is necessary.
>
> Katherine and George, once you give me your final approval of these changes, I will promptly circulate to my clients for final review and comments.

>
> -----Original Message-----
> From: Tal Dickstein [mailto:tdickstein@loeb.com]
> Sent: Friday, June 10, 2011 4:46 PM
> To: 'Dunn, Katharine N.'; 'ghampton@hamptonholley.com'
> Cc: CEAR, Kara; Pink, Jonathan Stuart; Barry Slotnick; 'burrow@caldwell-leslie.com'
> Subject: Pringle - Revised Proposed Protective Order

>
> Katherine and George,
>
> Subject to any changes others may have, here is a revised version of the proposed protective order reflecting changes, the substance of which we agreed to during our call today, as well as several other minor changes. If you have any additional comments, please provide them soonest, so that we can submit the proposed order early next week. If you are in agreement with these proposed changes, please confirm that plaintiff's counsel agrees to be bound by the terms of this proposed order pending Court approval.

>
> Thank you,

>
> Tal

>
>
> -----Original Message-----
> From: Dunn, Katharine N. [mailto:dunn@millercafield.com]
> Sent: Friday, June 10, 2011 3:13 PM
> To: Tal Dickstein
> Cc: 'CEAR, Kara'; 'Pink, Jonathan Stuart'; ghampton@hamptonholley.com
> Subject: RE: Emailing: 0307866.1.PDF, 0307866.2.PDF, 0307866.3.PDF

>
> Tal,

>
> Please confirm that the tracked-changes show up in this version of the
> document. Thanks,

>
> Katharine

>
> Katharine Dunn
> Miller Canfield
> Attorney at Law
> 312-460-4226 (direct)
> 312-460-4288 (fax)
> dunn@millercanfield.com
> www.millercanfield.com

>
>
> -----Original Message-----

> From: Tal Dickstein [mailto:tdickstein@loeb.com]
> Sent: Friday, June 10, 2011 2:05 PM
> To: Dunn, Katharine N.
> Cc: 'Cenar, Kara'; 'Pink, Jonathan Stuart'; ghampton@hamptonholley.com
> Subject: RE: Emailing: 0307866.1.PDF, 0307866.2.PDF, 0307866.3.PDF

>
> Katherine,

>
> As discussed during our meet and confer this afternoon, please send an MS Word version of the attached proposed protective order so I can incorporate the changes we discussed.

>
> Thank you,

>
> Tal

>
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>
>
> -----
> ---- CONFIDENTIALITY NOTICE: This e-mail transmission, and any
> documents, files or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender. Please destroy the original transmission and its attachments without reading or saving in any manner. Thank you, Loeb & Loeb LLP.

>
>
>
> From: Dunn, Katharine N. [mailto:dunn@millercanfield.com]
> Sent: Thursday, June 09, 2011 3:08 PM
> To: 'Pink, Jonathan Stuart'; Dickie, Dean A.; 'ghampton@hamptonholley.com'; 'rgreely@igouldlaw.com'; 'cholley@hamptonholley.com'; 'gould@igouldlaw.com'
> Cc: Cenar, Kara; Righettini, Justin; Barry Slotnick;
> 'burrow@caldwell-leslie.com'; 'emcpherson@mcphersonrane.com';
> 'trane@mcphersonrane.com'; Hellwig, Elaine; Tal Dickstein

> Subject: RE: Emailing: 0307866.1.PDF, 0307866.2.PDF, 0307866.3.PDF

>

> Counsel,

>

> Attached please find drafts of the Batts and Pringle protective orders you have proposed incorporating our suggested changes. Please advise whether Plaintiffs' proposed protective orders are acceptable. If they are not, we can plan to discuss the protective order issue during tomorrow's call. Thank you.

>

> Katharine Dunn

> Miller Canfield

> Attorney at Law

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> dunn@millercanfield.com

> www.millercanfield.com

>

>

> -----Original Message-----

> From: Pink, Jonathan Stuart [mailto:Jonathan.Pink@bryancave.com]

> Sent: Monday, June 06, 2011 10:52 AM

> To: Dickie, Dean A.; Koppenhoefer, Kathleen E.; Dunn, Katharine N.; 'ghampton@hamptonholley.com'; 'rgreely@igouldlaw.com'; 'cholley@hamptonholley.com'; 'gould@igouldlaw.com'

> Cc: Cenar, Kara; Righettini, Justin; 'bslotnick@loeb.com'; 'burrow@caldwell-leslie.com';

'emcpherson@mcphersonrane.com'; 'trane@mcphersonrane.com'; Hellwig, Elaine; 'Tal Dickstein'

> Subject: FW: Emailing: 0307866.1.PDF, 0307866.2.PDF, 0307866.3.PDF

>

>

> I am resending the documents I intended to send you last week. It appears that the two protective orders (one for Batts and one for Pringle) did not attach to the email I previously sent. If you do not receive two protective orders and a cover letter with this email, please let me know.

>

> JP

>

> Jonathan Pink | Bryan Cave LLP

> 3161 Michelson Drive, Suite 1500, Irvine, CA 92612-4414

> (949) 223-7173 o | jonathan.pink@bryancave.com

> (949) 437-8773 f | <http://www.bryancave.com/> Americas | Asia | Europe

> | Middle East

>

>

>

>

> -----Original Message-----

> From: IR-General Services, Merrill Corp.

> Sent: Friday, June 03, 2011 5:51 PM

> To: Pink, Jonathan Stuart

> Cc: Hellwig, Elaine

> Subject: Emailing: 0307866.1.PDF, 0307866.2.PDF, 0307866.3.PDF

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>

> The message is ready to be sent with the following file or link attachments:

>

> 0307866.1.PDF

> 0307866.2.PDF

> 0307866.3.PDF

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