

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

PETER OLNEY, on behalf of himself and all  
others similarly situated,  
  
Plaintiffs,  
  
vs.  
  
JOB.COM, INC.; and WINDY CITY CALL  
CENTER, LLC,  
  
Defendants and Third Party Plaintiff,  
  
RESUMEDIRECTOR.COM, NORTH  
AMERICA LIVE CAREER, INC.,  
LIVECAREER, LTD.,  
  
Third Party Defendants.

CASE NO. 1:12-CV-01724-LJO-SKO

**ORDER REGARDING DATA  
COLLECTION AND GENERATION OF  
EXPERT REPORT**

Judge Lawrence J. O’Neill  
Courtroom: 4  
Magistrate Judge Sheila K. Oberto  
Courtroom: 7

On May 1, 2014, the parties appeared for an informal telephonic discovery dispute conference. After considering the parties’ positions, the Court determined Defendant Job.com may have an expert of its choosing review a mirror image of Plaintiff’s hard drive.

Job.com’s independent computer analyst will provide to BCT Consulting a hard drive of sufficient size to store a mirror image of Plaintiff’s hard drive. BCT Consulting will copy a mirror image of Plaintiff’s hard drive to the hard drive provided by Job.com’s computer analyst. Within twenty-four (24) hours of its receipt of the hard drive from Job.com’s independent computer analyst, BCT Consulting will send the mirror image of Plaintiff’s hard drive to Job.com’s computer analyst,

1 maintaining a proper chain of custody. Plaintiff also intends to retain his own expert computer  
2 analyst pertaining to this additional review of Plaintiff's imaged hard drive.

3 The scope of Job.com's computer analyst's inspection shall be limited to whether certain  
4 files or web histories have been deleted, wiped, or otherwise made unrecoverable; when and how  
5 such deletion or wiping occurred, and the person(s) and/or program(s) responsible for such deletion  
6 or wiping. Job.com's computer analyst will search file content only to the extent necessary to  
7 evaluate whether files or web histories have been deleted, wiped, or otherwise made unrecoverable,  
8 when such deletion or wiping occurred, and the person(s) and/or program(s) responsible for such  
9 deletion or wiping. Job.com's computer analyst will not divulge the content of any files on  
10 Plaintiff's computer.

11 In the event Job.com's computer analyst finds evidence of files or web histories having been  
12 deleted, wiped, or otherwise unrecoverable, Job.com's computer analyst shall generate a report  
13 containing the results of his findings, without divulging the file content. The expert report will be  
14 completed within twelve (12) business days of Job.com's computer analyst's receipt of the hard  
15 drive from BCT Consulting.

16  
17 IT IS SO ORDERED.

18 Dated: May 7, 2014

/s/ Sheila K. Oberto  
19 UNITED STATES MAGISTRATE JUDGE